

# Columbus Charter Review Committee

## Public Comment

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This working document serves as an inventory of public comment submitted to The Columbus Charter Review Committee by submitting to [charter@columbus.gov](mailto:charter@columbus.gov) or via the Charter Review Committee Public Comment form at: <https://www.columbus.gov/council/Charter-Review/Committee/Public-Comment/>

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## Jeff Cabot: Charter Review Public Comment

Data from form "Public Comment" was received on 9/22/2016 10:06:14 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Name          | Jeff Cabot                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Email address | <a href="mailto:jeffcabot@sbcglobal.net">jeffcabot@sbcglobal.net</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Message       | I ask that the Charter Review Committee consider proposing Ranked Choice Voting (RCV) as a method to elect members of City Council. The website <a href="http://www.FairVote.org">www.FairVote.org</a> has much information about Ranked Choice Voting, how it works, and the benefits of using such a system. It is currently used to elect the Mayors of Minneapolis and St. Paul and all city officials in Berkeley, Oakland, San Francisco and San Leandro California. It promote friendlier elections and ensures that all voices are heard. I will send an email with some documents explaining RCV. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jeffcabot@sbcglobal.net](mailto:jeffcabot@sbcglobal.net) on 9/22/2016 10:06:14 AM.



## **Jeff Cabot: Ranked Choice Voting**

From: Jeff Cabot [<mailto:jeffcabot@sbcglobal.net>]

Sent: Thursday, September 22, 2016 10:28 AM

To: Charter

Subject: Ranked Choice Voting

To the Charter Review Committee:

I have submitted a comment proposing that you consider Ranked Choice Voting to elect Columbus City Council members. Here are some additional materials related to that comment. I hope to appear at a future meeting of the Committee to further this discussion. Thank you for your service.

Jeff

Jeff Cabot  
60 E. Broad St. Suite 300  
Columbus, Ohio 43215  
614-461-8103

**Attachment: Ranked Choice Voting Proposed by: Jeff Cabot**

Ranked Choice Voting  
Proposed by:  
Jeff Cabot  
258 Winthrop Road  
Columbus, Ohio 43214

Here are two additional direct links to Ranked Choice Voting materials particularly dealing with field races. In addition, I propose that Council vacancies be filled by the Committee of Five on the candidate's nominating petition rather than by City Council

[http://www.fairvote.org/rcv#how\\_rcv\\_works](http://www.fairvote.org/rcv#how_rcv_works)

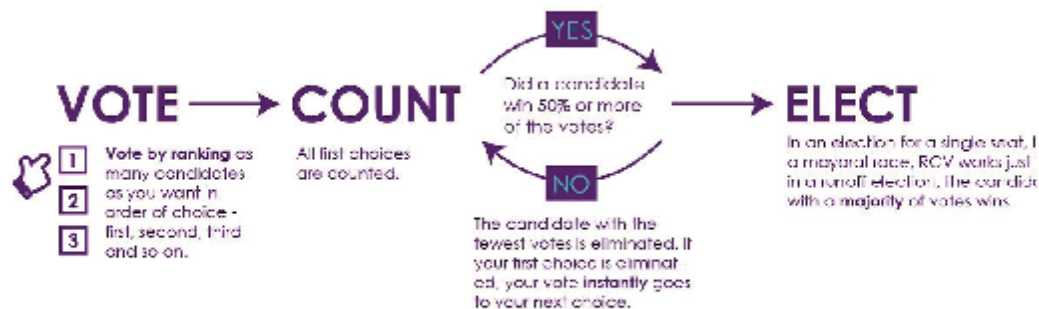
[http://www.fairvote.org/multi\\_winner\\_rcv\\_example](http://www.fairvote.org/multi_winner_rcv_example)

## Improving Local Elections with Ranked Choice Voting

American communities regularly see dynamic and competitive local elections, with no shortage of motivated candidates seeking office. But the rules governing these elections do not reflect political realities. Under current systems, the candidate with the most votes wins, but in a crowded field the most votes might not be very many at all. When there are three or more strong candidates, supporters of candidates with similar views can “split the vote” rather than unifying behind one candidate. This means that voters have to be strategic—often settling for the lesser of two evils, rather than voting for their favorite candidate.

### Ranked Choice Voting

In a ranked choice voting election, voters can rank as many or as few candidates as they want in order of choice. All 1st choices are counted, and the candidate with the fewest votes is eliminated. If a voter’s 1st choice candidate is eliminated, their vote instantly goes to their next choice. Candidates with the fewest votes are eliminated until there are two candidates left. Just like in a runoff election, the candidate with a majority of votes in the final round wins.



**Eliminates Strategic Voting:** Because you can rank your choices, you can vote for your favorite candidate without fear of splitting the vote. If your favorite candidate can’t win, your vote goes to the candidate you ranked second, so you don’t feel like your vote is “wasted.”

**Increases Voter Choice:** Ranked choice voting opens up politics to more diverse voices, including women, people of color, and independents. When we have the power to rank candidates, new and diverse voices can run without worrying about splitting the vote and playing the role of “spoiler”. With more choices, voters can vote for someone they truly believe in, rather than settling for the lesser of two evils.

**Preserves Majority Rule:** A democracy should reflect the will of the people. Our current voting system rewards whichever candidate has the most votes, even if a majority of voters prefer someone else. With ranked choice voting, only candidates who can garner at least 50% of voter support will win.

**Friendlier Elections:** University studies show that ranked choice voting encourages candidates to run more positive campaigns, focus on the issues, and reach out beyond their base.

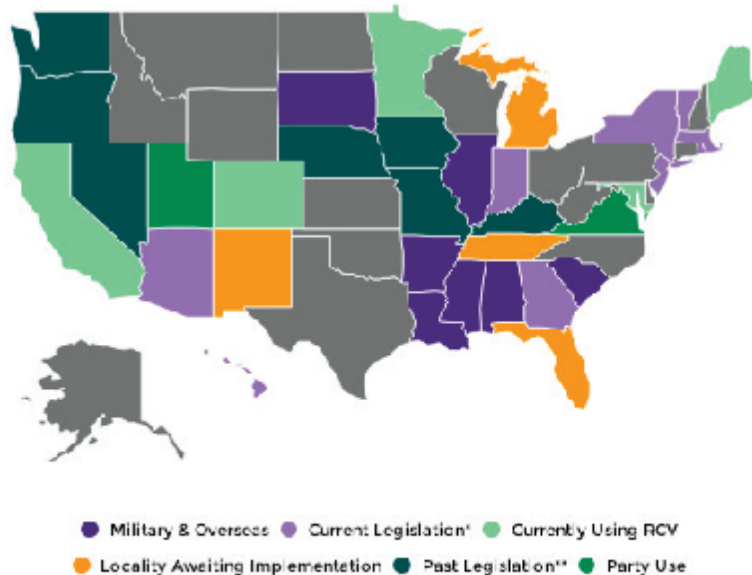
## Attachment: Where is Ranked Choice Voting Used?

FairVote

### Where is Ranked Choice Voting Used?

The map below shows the dozens of American communities that have already chosen ranked choice voting as a way to ensure that every voter has a meaningful choice and a strong voice in every election. In addition to the cities and states that already use ranked choice voting or will soon, the map displays the growing number of states where lawmakers have introduced bills to expand its use.

- In **California**, Berkeley, Oakland, San Francisco, and San Leandro all use RCV to elect all city officials.
- Portland, **Maine** has used RCV to elect its Mayor since 2011. In 2016 there will be a statewide ballot measure in Maine to adopt RCV for all state and congressional elections.
- RCV has been used in **Minnesota's** two largest cities, Minneapolis and St. Paul, since 2009 and 2011, respectively. There is also a bill in the Minnesota House of Representatives that would allow non-charter cities to use RCV in local elections.
- **Alabama, Arkansas, Louisiana, Mississippi, South Carolina**, and Springfield, **Illinois** have all provided ranked ballots to military and overseas voter in runoff elections. Legislators in **Georgia** and **Vermont** introduced bills this year to begin doing the same.
- Cambridge, **Massachusetts** has used the at-large form of ranked choice voting, an American form of proportional representation, to elect its City Council and School Committee since 1941. Cambridge uses no wards or districts, and it is spared the expense of administering primary or runoff elections, as the entire election happens on a single ballot.



## Jonathan Beard: Charter Review Public Comment

Data from form "Public Comment" was received on 9/27/2016 1:28:26 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Name          | Jonathan Beard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Message       | <p>Members of the Commission:</p> <p>As the sponsor of the proposed charter amendment that became Issue 1, I write to share my views, which are shaped by 20 years running Columbus's largest community redevelopment effort in the last generation: the HUD-designated Columbus Empowerment Zone -- focused on revitalizing areas of our central city that met federal statutory criteria for "pervasive poverty and social distress." Through this time as president and ceo of Columbus Compact Corporation, the nonprofit corporation that organized and led the federal grant application process and was charged with leading the funded initiative, I came to see the city through the eyes of our marginalized neighborhoods and their citizens, and saw first-hand the deficiencies in our current all at large form of government.</p> <p>The summer of 2010 was violent on E. Main Street, as the young men in our open air drug markets went from slinging dope to shooting at each other; the streets were out of control. I had video cameras installed that captured exactly what was happening on our streets -- from the sales to the shootings -- and as I talked to the young men, very few of them wanted the life they were in -- they wanted jobs. We had a series of community meetings with a variety neighborhood organizations, agencies, police, MH/SA providers, and a city council aide. Through those meetings, every organization made a series of commitments to work together. The piece city council was to work on was a reform of the city's then-unconstitutional "loitering in aid of drug offenses" law that police had told us were not allowed to enforce to help break up these open air drug markets. We asked the council to amend the law to make it enforceable, so police could issue citations (not arrests), which could be used to disrupt these open air drug markets and steer the young men into jobs and other paid work programs designed to help them move from where they were at.</p> <p>Though we showed council video of drug dealings and shootings, Council balked for well over a year, with council president Ginther saying in the Dispatch that we were engaged in "a political stunt." We ended up with a tragic video of a young man (Dominique Johnson) from the southside being chased down the street and shot in the back of his head with what homicide detectives -- on the basis of a slug pulled the next morning from the door of a home we had just renovated a full block away -- said was an AK-47. Dominique had been seen on video selling what appeared to be pills on that corner three weeks earlier. We shared that murder video with council members, and a few weeks later -- without any consultation -- they passed the same loitering law that they had been refusing to consider previously (with Rick Pfeiffer co-signing and saying it couldn't be done). The components of the new law were not what we believed addressed the needs and opportunities of our neighborhood -- it appeared to be a hastily-thought out CYA by the council to minimize our claims of council inattention.</p> |

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|       | <p>Thoroughly frustrated by the brick wall that had kept the drug markets open and contributed to the murder, as I listened to yet another police helicopter hover overhead after another shooting, I thought “if we had a single council member from this neighborhood, who was seeing what we are seeing, listening to gunshots, seeing blood on the sidewalks (I have pictures), and hearing the helicopters nightly, they would be helping us instead of banding together and fighting what we say are needed improvements.” In fact, one former council member would privately thank me for my work addressing this issue -- which he knew to be important -- but apparently didn't have the courage to say anything in front of his colleagues, as when I came before council he sat in stony silence like the others. That is when I began this effort to have our council elected by districts through the Columbus Coalition for Responsive Government (Fact Sheets enclosed) that resulted in Issue 1 by Represent Columbus, which I co-chaired.</p> <p>I believe Issue 1 failed at the polls because of a deceitful campaign against it, led by city officials with \$1 million in corporate contributions that claimed it created \$80,000 per year part-time jobs for a 25-person council (Issue 1 did not address council pay at all and called for a 13 member council) and that was led by the party of Trump, rather than by Black folk from the Near East Side concerned about the impact of the lack of representation we experience daily. Issue 1 did not cost \$20,000,000 as the anti-Issue 1 campaign claimed by tripling the number of city employees the Issue called for and multiplying that figure by 10 years. The loss was not a reflection of what Issue 1 really did -- it was a reflection of the successful campaign to re-define it as something it was not. The valid reasons behind single member council districts have not changed -- we need better representation.</p> <p>At Large Government Designed to Exclude and Minimize Minorities</p> <p>And this lack of representation not a mistake – at large forms of government were enacted across the country in the late 1800’s and early 1900’s as Anglos (Irish and English immigrants) tried to keep the reins of city political power from newly arriving immigrants from central and southern European countries who were immigrating and settling into neighborhoods and developing ward-based political power (Germans, Polish, and Italians) and demanding the trappings of that power (i.e., the then-patronage jobs in police and fire that remain disproportionately Irish yet today). [Source: Hofstadter, Richard. The Age of Reform: From Bryan to FDR,” a book that won the 1956 Pulitzer Prize for History].</p> <p>And as a Black resident, I and others, should be vigorously opposed to a system of representation that ensures all our elected officials remain in a permanent electoral minority (we are 28% of the city’s population) and can only elect the officials who have been presented to us by appointment. After the Voting Rights Act of 1965 was passed, communities across the Deep South changed from their traditional ward-based political systems to at large systems, to maintain majority (white) political power and stop Black politicians from being elected. In 1982 amendments to the Voting Rights Act, Congress recognized at large forms of government for their unlawful “voter dilution” impact on protected classes of citizens (like Blacks), and the Department of Justice subsequently filed more than 300 Section 2 voter dilution lawsuits against localities using at large voting schemes, and cities moved away from them.</p> <p>Detroit, Austin and Seattle were the most recent to change – leaving only Columbus and Portland as American big cities (Top 50) using at large voting. The average top 50 city in America has a 13 member council, with 2 members elected at large and 11 from districts. (Issue 1 sought 3 at large and 10 from districts for Columbus.) But for Dayton, which has the state minimum 5 member council, our 7 member council is smaller than every other major Ohio city – though our population and</p> |

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|       | <p>landmass more than double every other city's. We are under-represented, and poorly-represented; you have the opportunity to help change those facts.</p> <p>Blacks on Council</p> <p>We have a majority Black council – all appointed -- which appointment process I have come to believe is in place to forestall Section 2 (VRA) litigation which can be triggered by evidence of “racially-polarized” voting (and if Blacks are winning elections in a predominately white electorate, such evidence is harder to find). Columbus's first Black council member was elected in 1880 (Rev. Poindexter). We went to the all at large format in 1914, and it was 55 years until another Black was elected to council (1969 John Rosemond). Since then, every Black Democratic council member has been initially appointed to office, and runs for their first election as an incumbent with party and establishment support.</p> <p>Fellow committee member (Republican) Jenette Bradley is, I believe, the only Black member since 1969 who has won an election to begin serving, when she defeated Tom Kaplin in 1991 – 25 year ago. We used to talk openly in the 1990's about a “Black male” and a “Black female” seat, and you can trace those appointments (i.e, Espy, Coleman, Boyce. Dispatch articles from as far back as 1968 talk about the party's claims that each would appoint a qualified Negro to the council. Austin, which recently switched from all at large, had what they called “the Gentlemen's Agreement” to hold one seat for a Black candidate and another for a Latino candidate, specifically to forestall Section 2 challenges to their system of elections.</p> <p>And because our Black elected officials are first appointed, and then cannot fund their own citywide elections, they are politically weak and vulnerable to pressure. In the 2011 and 2013 elections, council president Ginther provided 72% of the campaign funding for council members Mills and Tyson, 84% for council member Craig, and 90% for council member Miller. Most recently, both Jaiza Page and Shannon Hardin were city employees who had to give up their city jobs before the election and relied 100% on the establishment's support for their elections and thus continued council paychecks.</p> <p>Do Our Black Council Members Really Have Power to Help Our Community?</p> <p>I see the policy impact of electorally weak Black council members in my job daily over the last 20 years, for instance in the continuing lack of attention given to the city's anemic community development, minority contracting, and job training/placement efforts. In public view, the policy impact is clear looking at current events; although many of us have been writing, talking, and protesting for reform of our policing effort, we don't hear these concerns echoed in a meaningful manner by our Black elected officials. While they will follow Andy Ginther on body cameras and nod and murmur concern, they won't talk publicly about independent investigations of police shootings or outside prosecutors, which as key structural reforms every civil rights group supports. As the political awareness committee co-chair for the Columbus Action Network, I sent the council a letter listing reforms advocated by every national civil rights group after the Michael Brown shooting/Ferguson protests and seeking a review for Columbus – there was no response to these policies from a single member, other than a generic statement that the police chief would be holding meetings and will issue a report (which, if done, was never made public).</p> <p>Further, our African American council members have sat idly by watching government-sponsored depopulation of Black folk from the Near East Side, through the demolition of Poindexter Village (a site eligible for listing on the National Registry of Historic Places) -- where all but 2 of the 412 households (90% Black) were relocated from the 43203 and 43205 zip codes (Near East Side) prior to the</p> |

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|       | <p>demolition. Seven years of community organizing have not moved a single one of our African American council members to object to what some in our community are calling an "ethnic cleansing" of our historical home. Our Black elected officials are wonderful people, who are locked into an at large system historically and structurally designed to make them impotent (through running in a majority white electorate and being unable to raise funds to run for office without white political and big business support) to address the issues of Columbus's Black Voting Rights Act-covered population.</p> <p>We are locked in a system that was designed to marginalize and exclude minority populations – first the Irish and Germans -- and now the marginalizing effects of this system are hitting Black folk the hardest, as our needs are not even being strongly voiced, let alone addressed – as evidenced by the council's unwillingness to even discuss the #BlackLivesMatters issues, such as the Columbus Action Network's 2015 request through Rev. Joel L. King, Jr. for the city to consider the CAN's proposed 10-Point Policing Reform Agenda derived from the August 18, 2014 "Unified Statement on Policing Reform" adopted by all the major national civil rights organizations.</p> <p>I am submitting a Fact Sheet from the NAACP Legal Defense Fund on At Large voting along with a couple other articles for your review as you head into this effort. I encourage you to read more about Section 2 of the Voting Rights Act Amendments of 1968, which outlawed At Large voting when single member districts with minority representation could be formed and where there is a history of racially-polarized voting. Also enclosed are articles about Austin's Gentlemen's Agreement, which reserved a Black and Hispanic seat to avert Section 2 Voting Rights Act claims -- similar to what we now do through the appointment process. I urge you to really look at the Austin situation and see its comparison to the Columbus system of appointing and supporting weak Black council candidates as members, who could not otherwise build a citywide constituency or afford to run in citywide elections.</p> <p>The At Large system was reviewed by congress and determined to be a system that likely creates unlawful voter dilution effects. The purpose does not to be intentionally racially motivated, but if the effects result in voters not being able to elect candidates of their choosing -- the system is likely unlawful. Whether or not that is the case in Columbus, there is a clear recognition across the country of the inherent flaws of at large voting, which is why every major city in America has moved away from the system -- whether by litigation by the Department of Justice or advocacy groups like the NAACP Legal Defense Fund, or by citizen initiative as we attempted through Issue 1 (I would note, our charter has never been amended by citizen initiative -- always by a council initiative, so we knew the high hurdle we were attempting to jump).</p> <p>Or Are They Merely Pawns?</p> <p>We should be looking critically on a system of government installed by people of privilege to maintain their power - -why in the world should we be defenders of a discriminatory system? I would note that Hugh Huntington was an original 1914 charter commission leader, which 1914 charter campaign was headquartered in the Chamber of Commerce offices, and that Huntington Bank contributed \$50,000 to its defense (against Issue 1). Other defenders of the at large system were AEP, Limited Brands, Nationwide Insurance and other big businesses – those who control the political reins guiding the citizens of Columbus.</p> <p>The two citizens associated with the OneColumbus PAC included Bryan Clarke, Mayor Ginther's aid and political director, who lives in Bexley and who formerly worked for Secretary of State Brunner and was a lead author of a report in favor of fair and competitive electoral districts and James</p> |



| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <p>Ragland, a recent primary candidate for Mayor who campaign in support of council districts. In other words, the lead non-corporate faces of the "No" vote campaign were paid political operatives who had previously been on record in support of electoral districts. It was not principle-based opposition - indeed Mr. Ragland tells me his opposition was to what he considered the specific flaws in Issue 1.</p> <p>I hesitate to say this, but I am starting to believe that we are no more than pawns in a game we are only beginning to understand, and that our political leaders may be equally unaware that they are being selected and used to maintain the existing social order. We deserve to have true representation, where the people we elect run in smaller, less expensive, district elections where the interests of our people are of primary importance to them, and when there can be no question of whether they are beholden to large campaign contributors with other interests.</p> <p>Continue the March to Freedom and Equality</p> <p>The march to equality was led by the Black church in the past, and I would ask Rev. Lawes and Ms. Gilyard in particular, on behalf of people of faith and color, to understand this issue and advocate strongly to return Columbus to a district-based voting system (as we had when Rev. Poindexter was elected in 1880) so that our concerns can be addressed in a more fair and equitable political system in our generation.</p> <p>I had been reluctant to air these concerns in public, and did not do so during the Issue 1 campaign, as our Black council members are all fine people and I have hesitated to question their purpose in a system where I believe they are unwitting tools that support a sophisticated political racial dominance. The return to council districts in Columbus need not be a divisive and racially-charged issue -- it could be done simply on the basis of good governance and more fair representation as practiced by every other big city in America; however, with the politicalization of the issue by in-power Democrats (of which I am an elected Central Committee member representing the Near East Side) -- which framed this as a partisan issue designed by "the Party of Trump to create permanent Republican wards" (though the issue was launched by Democrats and supported by the progressive wing of the Democratic Party along with the local Green, Republican, Socialist, and Libertarian parties - my concern about a polarizing public political debate has ended. I believe the commission through its recommendations has the opportunity to consider these issues fairly and move forward in a unifying, constructive, and positive manner to bring a more fair electoral system to a vote in Columbus.</p> <p>Again, out of respect to the fine people who have stepped forward to serve and the Columbus culture which values consensus, I hesitate to raise this issue directly in public and will do so gently, but wanted to make sure my concerns about the racial inequities inherent in at large voting and provide a few examples of their negative impact on the political representation of Columbus's Black community were put before the commission. We can do better, and I believe -- if challenged -- the Voting Rights Act would mandate that we do differently. I thank you for your attention to these important issues and hope the commission moves Columbus from a past designed to achieve racial and ethnic dominance and makes recommendations for the kind of changes appropriate for 21st century America.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jbeard@colsccompact.com](mailto:jbeard@colsccompact.com) on 9/27/2016 1:28:26 PM.

## Jonathan Beard: Facts about At Large electoral systems

**From:** [jbeard@colcompact.com](mailto:jbeard@colcompact.com) [<mailto:jbeard@colcompact.com>]

**Sent:** Tuesday, September 27, 2016 1:48 PM

**To:** Charter

**Subject:** Facts about At Large electoral systems

Charter Review Commission members:

Please accept the attached Fact Sheets, as well as a FAQ sheet from the NAACP Legal Defense Fund and an analysis of Voting Rights Act litigation by the Michigan School of Law. You will see our all at large voting for council is an anomaly – a product of the distant past when cities were run by the business elite (the 1%). Every other big city in America has moved from this format and provides for representation by council district – in recent years Detroit, Austin and Seattle all changed, leaving Columbus, at #15, as the only big city (Portland is next at the 29<sup>th</sup> largest city, with 5 members all at large). The average top 50 city in America has 2 members at large and 11 from districts.

Columbus leaders (Democrats) supported moving to districts until they became the solid majority on city council, indicating the opposition is now for political party dominance rather than the hollow claims of policy (see the Fact Sheet about “Traditional Democratic Party Support ...” which details how Democrat Mayor Sensenbrenner initiated an effort to get council districts). At large forms of government are discriminatory against minority voting blocks (based on our demographics and geographic concentration, it appears as though African Americans may be the only VRA-protected class – though the VRA is race-neutral).

Please google “Austin City Council Gentleman’s Agreement” (some links below) to see parallels between what Austin did to inoculate its system from federal discrimination claims and what Columbus has been doing through the council appointment process: it is time for change. We can create majority-Black election districts to approximate the Black population in Columbus and get beyond this mid-term appointment artifact which weakens the voices of our African American council members.

<http://www.oraatx.com/blog/2014/8/19/the-gentlemens-agreement-a-relic-of-austins-racist-past-or-why-did-we-need-to-change-the-system-anyway>

<http://www.texasmonthly.com/politics/what-nobody-says-about-austin/>

<http://kut.org/post/hispanic-leaders-call-change-gentlemens-agreement-just-not-yet>

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## Attachment: Council Governance Nationwide

### COLUMBUS COALITION FOR RESPONSIVE GOVERNMENT

A Citizens' Ballot Initiative to reform the Charter of the City of Columbus, to create a more responsive and more accountable Columbus City Council that consists of 4 members elected "at-large" in city-wide elections, and 7 members elected by the residents of each of 7 neighborhood-based Districts.

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### FACT SHEET ON COUNCIL GOVERNANCE NATIONWIDE

Columbus City Council has seven members elected citywide, and no council members elected from Districts. When this At-Large system was adopted in 1914, the city had a population of 181,500 and covered 24.5 square miles. Columbus is now more than 787,000 residents in more than 225 square miles.

Columbus moved from District-based representation to At-Large representation in 1914 – like many other cities – because of the concerns of the power elite about the influence of Columbus's growing immigrant population and the growing influence of the new industrialists in local affairs. Over time, most Cities went back to either all-District representation, or a balance of District and At-Large representation.

Of the 50 largest cities in America, only Columbus, Austin, and Seattle do not elect any council members by District or Ward. In 2009, Detroit voters overwhelmingly rejected its At Large system, and voted to move to a mixed system led of 2 At Large members and 7 District-based members. In 2012, Austin voters elected to move to a system of 10 District-based members and 1 At Large, which will take effect in November 2015.

And now, both Columbus and Seattle voters have District-based governance proposals moving forward by citizen initiated petitions.

Columbus's comparison cities have council bodies as follows:

| City                         | 2010<br>Population | Members<br>At-Large | Members from<br>Districts | Citizens per<br>Member |
|------------------------------|--------------------|---------------------|---------------------------|------------------------|
| Columbus, OH                 | 787,033            | 7                   | 0                         | 112,443                |
| Indianapolis, IN             | 820,445            | 4                   | 25                        | 28,291                 |
| San Francisco, CA            | 805,235            | 0                   | 11                        | 73,203                 |
| Austin, TX (voted 11/6/12) * | 790,390            | 1                   | 10                        | 71,854                 |
| Fort Worth, TX               | 741,206            | 1                   | 8                         | 82,356                 |
| Charlotte, NC                | 731,424            | 4                   | 7                         | 66,493                 |
| Baltimore, MD                | 620,961            | 1                   | 14                        | 41,397                 |
| Boston, MA                   | 617,594            | 4                   | 7                         | 56,145                 |
| Portland, OR                 | 583,776            | 4                   | 5                         | 64,864                 |
| PROPOSED COLUMBUS            | 787,033            | 4                   | 7                         | 71,548                 |

Of the largest 50 cities in America, on average, the ratio of citizens represented per council member is 73,093 citizens to every one council member. Of the largest 20 cities in America, the average ratio is 105,551 citizens to every one council member (and when you factor out Los Angeles, which has a much higher ratio than any other city, the average of the top 19 cities is 94,016 citizens per council member). Columbus's ratio of council members to citizens is well above average, and among the nation's highest.

If you average the top 50 cities in America, the average city council has roughly 2 council members elected at-large and 11 council members elected from Districts. Among the top 20 cities, the average council has roughly 2 council members elected at-large, to 14 council members elected from Districts.

## Attachment: A History of Traditional Democrat Party Support for a More Open City Council

### COLUMBUS COALITION FOR RESPONSIVE GOVERNMENT

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#### A History of Traditional Democrat Party Support for a More Open City Council

*"We, the people of the city of Columbus, in order to secure and exercise the powers of local self government under the constitution of the state of Ohio do enact and ordain this charter."*

So begins the Charter of the City of Columbus, enacted by the voters in 1914. The Charter became the city's authorizing and governing document following the State of Ohio's enactment of Home Rule legislation in 1912.

But it is not a static document. The charter provided "the machinery with which the people may amend its provisions as future necessity may arise. The people will have the power to change it at any time to suit the requirements of a rapidly growing city, or to correct any possible defects which may develop in the new form of government."<sup>1</sup>

And it has, in fact, been amended 51 times since enactment. Democrats have had a tremendous role in keeping the Charter current and keeping Columbus governance open. Mayor Jack Sensenbrenner became Mayor for the first time in 1954 -- the first Democratic Mayor of Columbus since 1935. Mayor Sensenbrenner is credited with devising Columbus's growth strategy of using water and sewer service as annexation leverage, allowing the city to avoid becoming landlocked by suburbs and retain growing outer areas within the municipal boundaries.

By 1957, Sensenbrenner had commissioned a Charter Revision Committee, which issued its report on December 19, 1958. The Commission stated "the present charter is 44 years old. It is no longer in tune with the times. In its present form it will be an increasingly heavy milestone around the neck of a city struggling with vast new problems."<sup>2</sup> The Commission continued "most important of all, the council, enlarged from 7 to 9 members ... would remain the policy-determining body of the city."

In 1968, the Columbus Dispatch wrote "a proposal to reorganize the Columbus City Council under the old-fashioned ward political plan may be placed on the ballot by the Sensenbrenner administration next May. One of the aims of the proposal will be to provide representation to the Negro minority which now has no voice on the City Council."<sup>3</sup>

Within weeks, Council working with first assistant City Attorney Frank Reda, had prepared several District-based proposals, including three different proposals for 11 members elected to a combination of districts and at-large seats: 5 at large, 5 wards,

<sup>1</sup> The Columbus Citizen. *Columbus Steps Forward*, May 6, 1914, P. 4.

<sup>2</sup> "Report of the Columbus Charter Review Commission to the Council of the City of Columbus, Ohio," December 19, 1958.

<sup>3</sup> Columbus Dispatch. "Ward Council Plan Proposed for City," January 12, 1968, P. A10.



## Attachment: A History and Perspectives on Columbus City Council

### COLUMBUS COALITION FOR RESPONSIVE GOVERNMENT

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### A HISTORY AND PERSPECTIVES ON COLUMBUS CITY COUNCIL

In 1912, the State of Ohio adopted "Home Rule" legislation to allow local communities to self-govern. In response, local leaders created a 15 member Charter Commission to develop a City Charter that would provide the basis for "home rule" in Columbus. "The form of charter was left to the judgment of the commissioners, but they were pledged to write into the charter the non-partisan ballot, the short ballot and a more centralized form of government."<sup>1</sup>

This was consistent with the *Progressive Reform movement* sweeping across the nation in the early 1900's, as a reaction to the facts that new immigrant populations were clustering in ethnic neighborhoods and developing Ward-based political power, and that big industrialists and their "new money" and power were becoming increasingly influential in the affairs of local communities. Across the country, "At Large" governance – where Ward politics were replaced by City-Wide politics – became a mechanism preferred by local business and social associations to help them retain the local influence they had long considered to be their province.<sup>2</sup>

A campaign committee led by Columbus attorney Hugh Huntington pushed for adoption of the proposed Charter, which was adopted by the voters in 1914. This new Charter changed the way the City was traditionally governed. In the immediate past, the City Council had consisted of 19 council members: 3 elected at large and 16 elected from Wards. The new council structure created by the new Charter consisted of seven members elected citywide ("At Large"), and for the first time, no members were elected by Ward ("Wards" and "Districts" are interchangeable terms). Terms of office were lengthened from 2 years to 4 years, and the president of council was to be chosen by the members of council itself, rather than by the citizens. Many of these provisions were quite controversial at the time:

"... I feel that a great injustice will be done to the great mass of our citizens should they be so unfortunate as to have the new proposed city charter foisted upon them. It is not a reform measure, out, on the contrary, it is strongly reactionary. It is distinctly a class charter, opposed to the welfare of the people, conserving the interest of the scholastic and the high class business man. It is, therefore, unfair, un-American and should be destroyed ... evidently the whole intention of these master commissioners is to prohibit the frequency of elections; remove them as far as possible out of the hands of the 'common herd' of mankind; lengthen terms of office, reduce the number of elective officers, and, in a word, establish an aristocratic system."<sup>3</sup>

Fortunately, the charter also provided "the machinery with which the people may amend its provisions as future necessity may arise. The people will have the power

<sup>1</sup> The Columbus Citizen. *Charter Adopted by Majority of 1042, Effective in 1916*, May 6, 1914, p. 1. [Emphasis added]

<sup>2</sup> Hofstadter, Richard. *The Age of Reform: From Bryan to F.D.R.*, 1955. (Note: this book won the 1956 Pulitzer Prize for History.)

<sup>3</sup> Thomas C. Beall. *The Columbus Dispatch: A Reactionary Charter: To the Editor*, May 3, 1914, p. 5.

## Attachment: At-Large Voting Frequently Asked Question

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### AT-LARGE VOTING FREQUENTLY ASKED QUESTIONS

#### What is at-large voting?

Under at-large voting, all voters cast their ballots for all candidates in the jurisdiction. In Beaufort city council elections, for example, all voters cast their ballots for five positions, with the top five candidates who receive the most votes citywide winning seats on the city council.

#### Why is at-large voting discriminatory?

At-large methods of election are often discriminatory because they, in combination with racially polarized voting, prevent voters of color from electing their candidates of choice where they are not the majority in the jurisdiction. Under this system, the votes of voters of color often are drowned out or submerged by the votes of a majority of white voters who often do not support the candidates preferred by Black voters.

#### How does at-large voting affect communities of color?

Fewer and fewer districts still practice at-large voting. That is because courts and other decision-makers long have recognized that discriminatory methods of election, like at-large voting, enhance the discrimination that communities of color experience because of socioeconomic and other disparities in life opportunities between Black and white communities.

LDF has long worked to eradicate discriminatory at-large methods of election that dilute the voting strength of communities of color.

#### How can districts switch from at-large to district-based voting?

Elected officials can call for a referendum on the question of moving from at-large to district voting, and voters can approve a change to the method of election through a referendum. South Carolina law empowers local city councils to take a simple majority vote to change the method of election through a referendum. Alternatively, communities can petition a city council to put the question of a change to the method of election to the voters. Without action by local municipalities, politicians who choose to maintain at-large voting can face time-consuming and costly litigation.

#### How are single-member districts created?

To remedy dilutive at-large electoral systems, single-member districts are created by a demographic mapping expert and include at least one district in which voters of color are the majority of the voting-age population in that district. These districts must satisfy all relevant laws and traditional redistricting principles. These districts are not intended to guarantee the election of politicians of a particular color, but rather to empower voters to elect their candidates of choice.

#### Are at-large systems rare or widely-used?

Since the passage of the Voting Rights Act in 1965, numerous at-large systems have been struck down under Section 2 of the Voting Rights Act. Although at-large voting is becoming rarer and rarer, in part due to the advocacy of LDF and other civil rights organizations, such discriminatory election systems remain in some places in our democracy, such as in Beaufort City.

The Voting Rights Act forbids the use of any electoral scheme, such as the at-large method of election, that submerges the votes of people of color in elections that a white majority of voters control. Widely considered the crown jewel of American democracy, the Voting Rights Act is the most effective tool for protecting voters of color against methods of election – like at-large voting – that weaken the voting strength of communities of color.

#### What are some notable cases that struck down at-large voting?

In a case that LDF successfully litigated, *Dillard v. Crenshaw County, Alabama*, a federal district court found that hundreds of Alabama districts intentionally employed at-large electoral methods to discriminate against Black voters. Because of that litigation, 176 jurisdictions settled and adopted some form of district voting. Following *Dillard*, in which 183 jurisdictions throughout Alabama ultimately abandoned their discriminatory at-large method of elections, few jurisdictions in Alabama still use this potentially dilutive voting scheme.

More recently, in *Georgia State Conference of the NAACP v. Fayette County Board of Commissioners*, LDF successfully challenged the at-large electoral method to the county board of commissioners and board of education in Fayette County, Georgia.

# Documenting Discrimination in Voting:

Judicial Findings  
Under Section 2  
of the Voting Rights Act  
Since 1982

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*Final Report of the Voting Rights Initiative  
University of Michigan Law School*

Ellen Katz

*with* Margaret Aisenbrey, Anna Baldwin, Emma Cheuse, and Anna Weisbrodt  
December 2005

## Attachment: Voices From The Past

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### VOICES FROM THE PAST:

98 YEARS OF COLUMBUS LEADERS' STATEMENTS ABOUT THE CHARTER AND COUNCIL

1914

- "The laboring men will not be benefited or represented in a council of seven men elected at large, four of whom, at least, will be corporation hand-picked, and will vote as the corporations dictate, as against the interests of the men who work." (The Columbus Evening Dispatch, *Four Times, Form of Government Has Been Changed*, by George D. Jones, former assistant law Director, City of Columbus. May 1, 1914.)
- "... I feel that a great injustice will be done to the great mass of our citizens should they be so unfortunate as to have the new proposed city charter foisted upon them. It is not a reform measure, but, on the contrary, it is strongly reactionary. It is distinctly a class charter, opposed to the welfare of the people, conserving the interest of the scholastic and the high class business man. It is, therefore, unfair, un-American and should be destroyed ... evidently the whole intention of these master commissioners is to prohibit the frequency of elections; remove them as far as possible out of the hands of the 'common herd' of mankind; lengthen terms of office, reduce the number of elective officers, and, in a word, establish an aristocratic system." (Thomas E. Beall. The Columbus Dispatch: *A Reactionary Charter: To the Editor*, May 3, 1914.)
- "Sir: If representative government, whereby a portion of the nation, state and city, chooses men to represent it in congress, the legislature and council, is right, the new charter which provides for election of councilmen at large, is wrong. If representative government is wrong, the new charter is right. It should not take much time for a good American to decide which he thinks is right, and which wrong, and vote accordingly at Tuesday's election." (Ann L. McCoy. The Columbus Dispatch: *A Short Question: To the Editor*, May 3, 1914.)
- "How can the laboring men, who work in shops and factories and along other lines of employment, cease from work and call at the city hall to urge upon city officials and members of council the many improvements which the neighbor hoods in which they live demand and especially when these visits will be made to men whom they have never met and who are not familiar with the localities in which these working men live? The present members of council, elected as they are by wards, can be seen by the people whom they represent at most any hour of the day or night. Their constituents are acquainted with them, as friends and neighbors, and therefore feel free to talk of required improvements or file complaints. (The Columbus Sunday Dispatch. *Vote Against the Charter Because It Will Destroy Home Rule (Political Advertisement)*, May 3, 1914.)
- "The Franklin County Democratic Club requests you to go to the polls and vote and work against the proposed charter tomorrow, May 5<sup>th</sup>." (Columbus Citizen. *Charter is Adopted by Majority of 1042; Effective in 1916*, May 6, 1914.)



## Jonathan Beard: Charter Review Public Comment

Data from form "Public Comment" was received on 10/3/2016 1:56:25 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Jonathan Beard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Email address | <a href="mailto:jbeard@colcompact.com">jbeard@colcompact.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Message       | <p>As the Charter Committee considers recommendations to council, it should consider recommending council adopt a serious campaign finance reform effort, which would cap contributions from individuals, limit transfers of money between PACs, and provide for a system of public financing for campaigns for our noncompetitive, expensive all at large elections.</p> <p>The people of Columbus deserve fair and competitive elections to determine the people who will represent us, and the current all at large format where elections are too expensive for all but the council president (who puts himself in jeopardy as he raises money to fund incumbents' campaigns -- what do you think the Redflex bribery allegations were all about?? -- that donation through convicted extortionist John Raphael passed through money to other council incumbents who could not afford the expense of their own elections).</p> <p>The Columbus Coalition for Responsive Government submitted tens of thousands of petition signatures for a citizen initiated effort to reform campaign finance laws in Columbus --which lawmaking was authorized by voters in a 1994 charter amendment, but council never enacted legislation to put campaign caps into place. It is time for council to close the ethical hole that unlimited campaign giving brings. Instead of voting on the issue, the council ignored it simply because we had filed the certified precirculation copy of the petition in the city clerk's office instead of the city auditor's office.</p> <p>A copy of a current citizen initiative will be provided to the committee by email. It is past time to take the excessive money out of our local politics.</p> <p>WRITTEN TESTIMONY TO COLUMBUS CITY COUNCIL<br/>Jonathan C. Beard<br/>November 11, 2013</p> <p>Today on Veterans Day, we remember that our way of life -- including our voting rights which are under attack in many states -- have been secured by fellow citizens serving in our armed forces. Today our fight for our franchise is not a fight of physicality, but a fight against apathy and the appearance or reality of undue influence -- both of which undermine our democracy.</p> <p>Too many people think their vote does not matter, and in many cases they are right. At the federal level, gerrymandering of congressional districts has left seats uncontested, which leads to interparty dysfunction and an inability to govern. Further, corporate special interest group campaign</p> |

| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <p>contributions have undue influence on the public agenda.</p> <p>At the state level, gerrymandering has lead to single party control of state legislature despite an electorate that is evenly split between the two major parties.</p> <p>At the local level, we maintain At Large elections for City Council which increases costs of running for office, reducing competition. And we see each year – including this year -- that even incumbent council members cannot afford their own elections.</p> <p>In this, the 2013 election cycle, Council incumbents raised \$25 to every \$1 raised by challengers. In gross numbers, incumbents raised over \$375,000, and challengers raised just \$16,000. And disturbingly, 70% of all the campaign funding was provided by one Political Action Committee: Friends for Ginther. Friends for Ginther accounted for 62% of funding of Paley Campaign, 72% of Tyson campaign, and 90% of the Miller campaign.</p> <p>When we look at those facts, we don't see fair and competitive elections that Americans have fought for and Columbus residents should expect. \$16,000 is not enough money for three candidates to run a competitive campaign across 225 square miles covering more than 800,000 people. Further, the excessive spending by the Council President gives a suspicion of impropriety – a suspicion that votes on council can be influenced by campaign contributions from the council president. This suspicion appears validated when the Council president sponsored Issues 50 &amp; 51 and where every council member agreed with it –even though 69% of the electorate voted it down. We have a problem of representation, and when you follow the money it causes concern. Sadly, this is the best that our current system gives us, so it is past time to look critically at our system of elections.</p> <p>Citizens of Columbus deserve fair and competitive elections, which is why the Columbus Coalition for Responsive Government filed roughly 23,000 signatures in support of a proposed citizen-initiated ordinance -- The Columbus Fair Campaigns Code -- on Thursday.</p> <p>We modeled our proposed ordinance after Austin's campaign finance law. In short, under the proposed law submitted by the people, candidates for Mayor and Member of Council can agree to limit their contributions and expenditures, and in exchange they get access to publicly provided campaign benefits such as debates sponsored by the Community Relations Commissions and aired on the two city-controlled public access stations, access to those same public access stations at nominal cost to explain in detail their campaign messages to the public, and access to a newly established Columbus Fair Campaigns Fund, which would provide partial public financing of campaigns so all candidates could get their messages out without having to spend money on 30-second TV or radio advertising to speak to all of Columbus.</p> <p>In the 2011 election cycle, council members Craig, Klein, Mills reported receiving over \$108,000 each from Friends for Ginther. In this cycle, all council incumbent candidates received more than \$84,000 each. The questions for voters are "what did that buy?, and does that give me confidence in the independence of my elected officials?"</p> <p>The Coalition would rather have the public support a system of elections where candidates can get more information about their candidacies to the public at a much lower cost, rather than have the council president supporting campaigns with 30-second ads saying incumbents support strong neighborhoods, police officers, and good jobs. The public deserves more from our most important right.</p> |

| Field | Value                                                                                                                                                                                                                                                                                                  |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | In a few weeks you will have a chance to vote on the Columbus Fair Campaigns Code. We ask that you do something great for Columbus – this generation and the next – by voting “yes” and strengthening our democracy. We stand ready to answer any questions and provide any assistance in that regard. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jbeard@colcompact.com](mailto:jbeard@colcompact.com) on 10/3/2016 1:56:25 PM.

## Jonathan Beard: Charter Review Public Comment

Data from form "Public Comment" was received on 10/3/2016 3:22:29 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Jonathan Beard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Email address | <a href="mailto:jbeard@colsccompact.com">jbeard@colsccompact.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Message       | <p>In watching a tape of your first meeting in which you opened to public comment about the scope of your work and public input, following are recommendations:</p> <ol style="list-style-type: none"><li>1. Have a meeting specifically addressing the history of at large voting, and the problems that at large voting exacerbate for minority populations. Invite the NAACP Legal Defense Fund, which has litigated against at large voting systems, to advise the city on the impact of at large voting on minority communities and assess the intent of the 1986 amendments to Section 2 of the Voting Right Act to discourage at large voting due to its unlawful "voter dilution" effect on minority voters. Invite comment on whether Columbus's history of making African American appointments to council (indeed, Ms. Jennette Bradley of this committee is the only African American since Dr. John Rosemond in 1969 to have begun service on council by election) with all the rest being first appointed. Examine the changing perspectives on at large voting of the political parties when they were, and were not, in power. Evaluate if the current Democratic Party defense of at large voting -- though it dilutes the votes of African Americans, a core constituency of the party -- is about strengthening the votes of all citizens or maintaining access to corporate contributions and political power.</li><li>2. Have a presentation on the number of Department of Justice challenges to at large voting schemes pursuant to Section 2 of the Voting Rights Act. Evaluate if the appointment process of African American council members has been the mechanism used by local power brokers to delay Section 2 challenges-- similar to the way the Austin civic and business communities used the "Gentlemen's Agreement" to do the same.</li><li>3. Invite the Brennan Center for Justice to advise the committee on recommending changes to the city's campaign finance law, as such changes were authorized by 63% of voters in a 1994 charter amendment with the intent council would adopt legislation to cap contributions, as was being done at the federal and state levels during that era. The failure to cap led to issues like the questionable \$20,000 Redflex contribution which further damaged trust in our city council.</li><li>4. Make a recommendation to support council districts, which are opposed strongly by the "in power" political class and its big business benefactors, but which are the norm across the country. Sample maps and demographics for a system with 12 districts will be provided so the committee and public can better envision what such a system could look like.</li><li>5. Recommend that council resume televising all of the council meeting, including public comments on non agenda items. A 1994 task force made just that recommendation (ask the city clerk for a copy</li></ol> |

| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <p>of that report -- I will try to find mine and forward it to the group), though it has been ignored. Council should be held accountable for what citizens in good faith are presenting to them -- things not yet subject to a council vote. People are frustrated as council feigns ignorance of issues and acts like nobody has tried to talk with them, as they did after the protestors embarrassingly overran council for not having listened to them over the previous years.</p> <p>6. Stop hoarding power: return public access television to the people of Columbus, as intended under the federal telecommunications act. The people of Columbus deserve to have access to each others' unfiltered thoughts and expression. While council spends \$1M on CTV-3 (up from \$750K two years ago), to self-promote, it denies both access to, and funding for, public access TV. Government should not control and censor mass media, as city council is now doing by withholding Time Warner channel 21.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jbeard@colcompact.com](mailto:jbeard@colcompact.com) on 10/3/2016 3:22:29 PM.

## **Jonathan Beard: Campaign Finance Reform**

**From:** [jbeard@colscompact.com](mailto:jbeard@colscompact.com) [<mailto:jbeard@colscompact.com>]

**Sent:** Monday, October 03, 2016 2:01 PM

**To:** Charter

**Subject:** Campaign finance reform

Hoping the charter review committee is willing to make a recommendation that council enact an ordinance similar to the attached. Please invite the Brennan Center for Justice to advise the committee on campaign finance reform.

Jonathan C. Beard  
President and CEO  
Columbus Compact Corporation  
1051 E. Main Street  
Columbus, OH 43205  
Phone: (614) 251-0926 ext. 301  
Fax: (614) 251-2243  
[www.colscompact.com](http://www.colscompact.com)

## Attachment: Initiative Petition

**To Enact Chapter 107 and Amend Chapter 2321 of the Columbus City Codes, 1959, To Create A Small Donor Matching Fund Program for Elections to City Offices Funded in Part with Ohio Casino Tax Revenues, Provide Further Regulation of Campaign Finances and Provide Public Election Supports Designed To Increase Competition and Reduce Costs of Providing Information About Candidates to Voters.**

---

### INITIATIVE PETITION

Revised Code 504.14, 731.28-731.41, 3501.38, 3503.06  
Charter of the City of Columbus, Sections 41 - 47

NOTICE – Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter, is liable to prosecution.

To the City Clerk of the city of Columbus, Ohio: We, the undersigned, electors of the city of Columbus, Ohio respectfully request that the ordinance proposed herein be adopted by the Council or submitted to a vote of the electors of this city for their approval or rejection at the next regular municipal election to be held not less than 60 days nor more than 120 days thereafter;

The following is a full and correct copy of the title and text of the proposed Ordinance:

**To Enact Chapter 107 and Amend Chapter 2321 of the Columbus City Codes, 1959, To Create A Small Donor Matching Fund Program for Elections to City Offices Funded in Part with Ohio Casino Tax Revenues, Provide Further Regulation of Campaign Finances and Provide Public Election Supports Designed To Increase Competition and Reduce Costs of Providing Information About Candidates to Voters.**

---

## **Jonathan Beard: Sample 12 District map and demographics**

**From:** [jbeard@colcompact.com](mailto:jbeard@colcompact.com) [<mailto:jbeard@colcompact.com>]

**Sent:** Monday, October 03, 2016 3:25 PM

**To:** Charter

**Subject:** Sample 12 District map and demographics

Attached for your consideration is a map of a potential apportionment of Columbus into 12 (single member) council districts, with the existing Neighborhood Area Commission boundaries overlayed (in black). As you can see, much of the city is not represented by an area commission, which have very limited purviews in any case (they are codified as a "recommending body" to council on planning and zoning matters).

Jonathan C. Beard  
President and CEO  
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1051 E. Main Street  
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# **COLUMBUS CITY COUNCIL PROPOSED DISTRICTS** **12 District Demographics(Model A)**

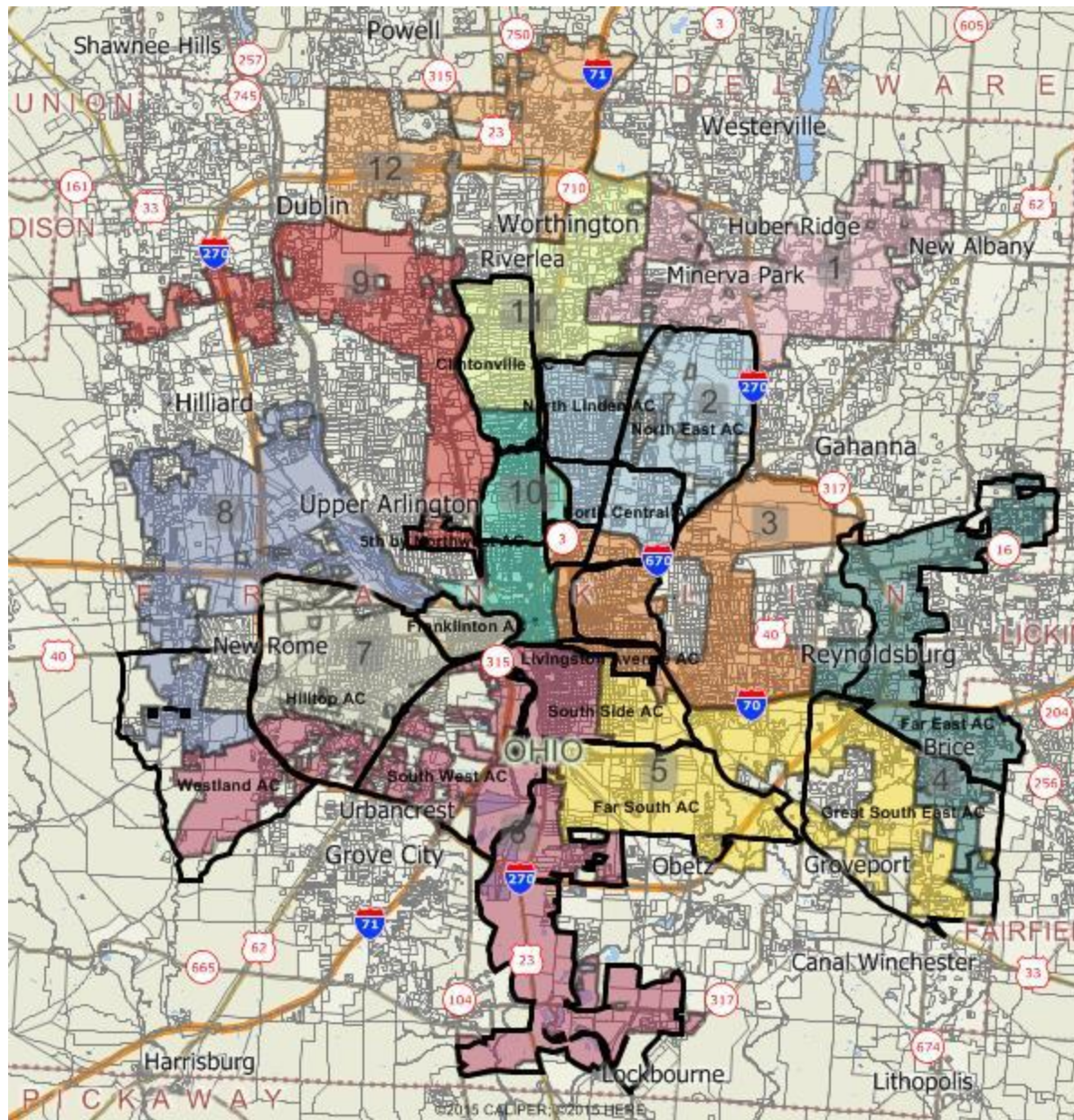
| Council District | Area Sq.Mi.  | 2010 Population | 12 Dist. Mean Pop. | Deviation from Mean | 2010 Pop @ Voting Age | 2010 White     | 2010 Black     | Percent Black | 2010 Am. Indian | 2010 Asian    | 2010 Hawaiian | 2010 Other    | 2010 Hispanic |
|------------------|--------------|-----------------|--------------------|---------------------|-----------------------|----------------|----------------|---------------|-----------------|---------------|---------------|---------------|---------------|
| 1                | 18.1         | 66,677          | 65,584             | 1.7%                | 50,197                | 41,373         | 18,575         | 27.9%         | 157             | 2,871         | 47            | 1,401         | 3,470         |
| 2                | 17.2         | 66,816          | 65,584             | 1.9%                | 48,167                | 20,498         | 41,393         | 62.0%         | 162             | 988           | 70            | 1,368         | 2,628         |
| 3                | 19.4         | 63,964          | 65,584             | -2.5%               | 47,821                | 17,453         | 41,285         | 64.5%         | 231             | 794           | 84            | 1,837         | 3,231         |
| 4                | 18.3         | 65,805          | 65,584             | 0.3%                | 48,581                | 33,691         | 26,458         | 40.2%         | 147             | 1,386         | 25            | 1,613         | 3,397         |
| 5                | 27.5         | 63,201          | 65,584             | -3.6%               | 45,874                | 25,537         | 32,432         | 51.3%         | 178             | 1,043         | 38            | 1,605         | 2,955         |
| 6                | 34.4         | 68,186          | 65,584             | 4.0%                | 50,849                | 50,885         | 12,414         | 16.2%         | 224             | 1,025         | 25            | 1,318         | 2,815         |
| 7                | 13.2         | 66,139          | 65,584             | 0.8%                | 47,147                | 45,331         | 12,535         | 19.0%         | 292             | 1,344         | 92            | 3,717         | 6,031         |
| 8                | 22.7         | 68,138          | 65,584             | 3.9%                | 50,299                | 53,498         | 5,369          | 7.9%          | 149             | 3,520         | 53            | 3,548         | 5,893         |
| 9                | 18.7         | 66,218          | 65,584             | 1.0%                | 56,255                | 51,250         | 3,498          | 5.3%          | 121             | 7,974         | 16            | 1,501         | 3,309         |
| 10               | 8.6          | 66,890          | 65,584             | 2.0%                | 62,975                | 54,856         | 5,485          | 8.2%          | 161             | 3,828         | 16            | 1,015         | 2,542         |
| 11               | 13.1         | 64,447          | 65,584             | -1.7%               | 50,458                | 41,854         | 16,673         | 25.9%         | 167             | 1,430         | 25            | 2,280         | 4,847         |
| 12               | 15.9         | 62,808          | 65,584             | -4.2%               | 47,803                | 49,361         | 4,452          | 7.1%          | 119             | 5,811         | 25            | 1,355         | 3,482         |
|                  | <b>227.1</b> | <b>785,285</b>  | <b>787,008</b>     |                     | <b>606,426</b>        | <b>485,387</b> | <b>229,565</b> | <b>27.9%</b>  | <b>2,108</b>    | <b>32,014</b> | <b>516</b>    | <b>22,578</b> | <b>44,600</b> |

## **Notes:**

- 1) This is a draft showing the city divided into 12 single-member council districts. The proposal will be for 3 members at large and 12 from Districts.
- 2) The Supreme Court has created doctrine that typically mandates near equally-sized districts (within 10%). This map has all districts within 5% of the 12 district mean size of 65,584 people based on the 2010 census, with the largest District (8) at 68,138 (+3.9%) and the smallest (12) at 62,808 (-4.2%) .
- 3) Districts should consist of "contiguous" territory to the extent possible or practical, reflected in this map.
- 4) Sec. 2 of the Voting Rights Act requires an effort to create opportunities for minority populations to elect a candidate of their own choosing. Only the Black racial group has enough members to create a majority-minority district, thus it appears that the only VRA covered population is Blacks, so attempts were made to create majority Black districts where practical, without "cracking" or "stacking." Districts 2, 3, and 5 are majority Black (25% of districts) and where if voting was 100% racially polarized, a candidate preferred by Blacks could win. Blacks are 28% of population.
- 5) Attempts were made to maintain "communities of interest," which is a nebulous concept to be drawn from public input, reflected as Area Commissions.

District 1 is not represented by any area commission.  
District 2 includes the North Central, North East, North Linden, and a portion of the University Area commissions.  
District 3 includes the Milo Grogan, Near East Area and Livingston Avenue area commissions.  
District 4 does not have any area commissions.  
District 5 includes part of the Southside Area Commission and Far South Area Commission.  
District 6 includes the Soth West Area Commission  
District 7 includes the Hilltop and Franklin Area Commissions and a portion of the Westland Area Commission  
District 8 does not have any area commissions  
District 9 has the Fifth by Northwest Area Commissions  
District 10 has a portion of the University area commission  
District 11 has the Clintonville Area Commission  
District 12 is not represented by any area commission





## Michael Curtin: Charter Review Public Comment

Data from form "Public Comment" was received on 10/6/2016 3:15:18 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                     |
|---------------|-----------------------------------------------------------------------------------------------------------|
| Name          | Michael F. Curtin                                                                                         |
| Email address | <a href="mailto:mcurtin2323@yahoo.com">mcurtin2323@yahoo.com</a>                                          |
| Subject       | Charter Review Public Comment                                                                             |
| Message       | I have been asked to present historical background and context on the structure of Columbus City Council. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [mcurtin2323@yahoo.com](mailto:mcurtin2323@yahoo.com) on 10/6/2016 3:15:18 PM.

## Jennifer Grant: Charter Review Public Comment

Data from form "Public Comment" was received on 10/10/2016 3:04:13 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Jennifer Grant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email address | <a href="mailto:jencbus@gmail.com">jencbus@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Message       | <p>I want the committee to remember many residents are not represented by area commissions in Columbus. Many people who wanted more city council members, don't have elected representatives to represent their neighborhood, like the area commissions do. Many residents are represented by volunteers who have served for years, not because they're elected by their neighbors, but because their friends on the neighborhood association (they are called "trustees" in my neighborhood, Sharon Woods), continue to appoint and/or vote on them to hold the same offices. If you are not a "trustee", you can't vote on neighborhood issues, such as how dues are spent. Many of us also never see our fulltime paid neighborhood liaison at our meetings, even if we spend our evening at a meeting where we can't contribute.</p> <p>So please remember not all residents have representation. Perhaps, pay the fewer city council members as full-time employees, but require that they spend some of that time at area commissions AND associations meetings, to hear residents' concerns monthly. Oh and make sure they're visiting the neighborhood meetings, not just the bigger joint association meetings, like NCC. Regular residents are not invited to those meetings and those meeting times, dates and place are not well publicized because of it.</p> <p>Thank you for your consideration.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jencbus@gmail.com](mailto:jencbus@gmail.com) on 10/10/2016 3:04:13 PM.

## Sandy Bolzenius: Charter Review Public Comment

Data from form "Public Comment" was received on 10/11/2016 10:43:35 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Sandy bolzenius                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Email address | <u>Bolzenius.2@osu.edu</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Message       | <p>Hello, I have three questions:</p> <ol style="list-style-type: none"><li>1. What are the next dates available in which citizens may deliver a public comment before review board? Also, do you have those locations?</li><li>2. Are speakers allowed five minutes?</li><li>3. Must speakers turn in a written copy of what we would like to say 24 hours in advance? I heard that this requirement had been changed.</li></ol> <p>Thank you,</p> <p>Sandy Bolzenius</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [Bolzenius.2@osu.edu](mailto:Bolzenius.2@osu.edu) on 10/11/2016 10:43:35 AM.

## Tom Dillard: Public Comment

Data from form "Public Comment" was received on 10/11/2016 3:52:58 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Tom Dillard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Email address | <a href="mailto:Tomdillard2000@yahoo.com">Tomdillard2000@yahoo.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Message       | <p>I plan to offer input at the Oct 27 the committee meeting concerning the power of citizen participation and how it can and will improve the decision making process. I plan to bring a copy of my presentation to the meeting with copies for the committee members.</p> <p>The theme of my presentation is to encourage the committee to adopt practices that allow for citizen participation in the decision making process using the basic decision making model.</p> <p>I will send my attachments to the <a href="mailto:charter@columbus.gov">charter@columbus.gov</a>.</p> <p>Tom Dillard<br/>3226 McCutcheon Place<br/>Columbus, Ohio 43219<br/>614-207-1248<br/><a href="mailto:tomdillard2000@yahoo.com">tomdillard2000@yahoo.com</a></p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [Tomdillard2000@yahoo.com](mailto:Tomdillard2000@yahoo.com) on 10/11/2016 3:52:58 PM.

## **Tom Dillard: Attachments for presentation to the Charter Committee**

**From:** Tom Dillard [<mailto:tomdillardll@gmail.com>]

**Sent:** Tuesday, October 11, 2016 5:08 PM

**To:** Charter

**Subject:** Attachments for presentation to the Charter Committee by Tom Dillard

The attached are handed out for the presentation to the Charter Committee by Tom Dillard at the Oct.27th meeting

Tom Dillard, MSSA, LSW

Tom Dillard & Associates

614-207-1248

[tom@tomdillard.org](mailto:tom@tomdillard.org)



## Attachment: Presentation to the City Council Revision Commission

### Presentation to the City Council Revision Commission

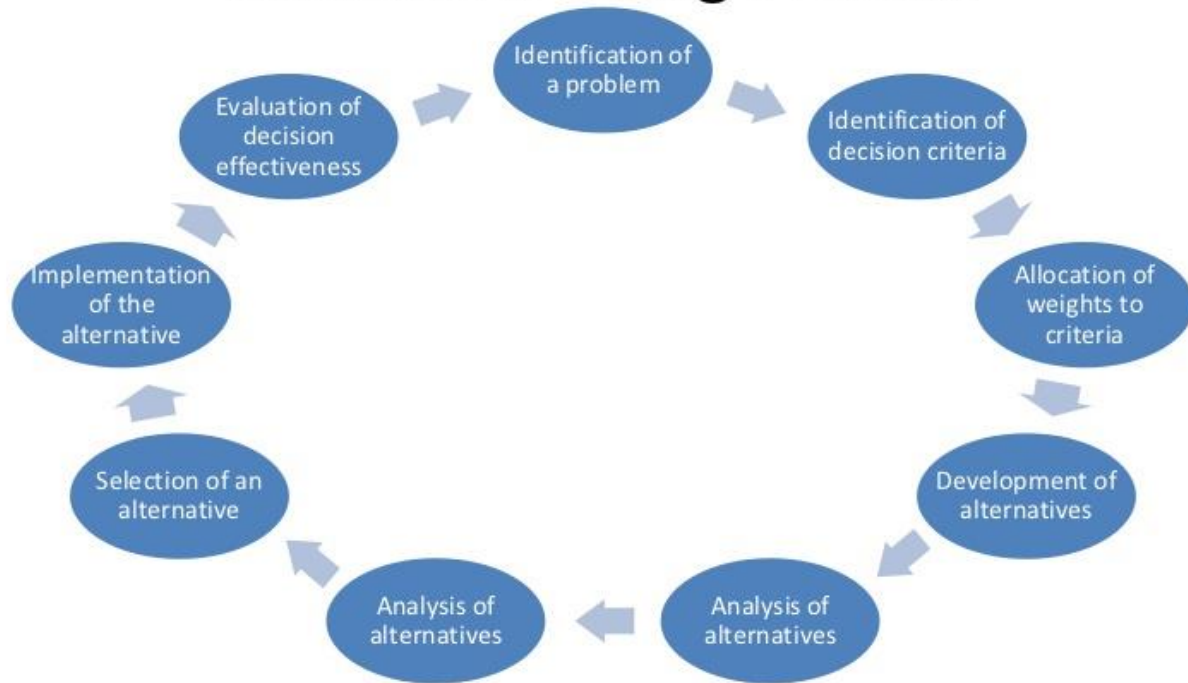
The rewards for the community, however, can be great. Many of the reasons for the community to embrace participation are reflections of the reasons why policymakers would want it. Some of them are:

- **Participation provides the opportunity to educate policymakers to the community's real needs and concerns.** As we've discussed, when policymakers plan a vacuum, their plans usually fail, because they don't account for the realities of the situation and the real needs of the population they're aimed at. Community members can help policymakers understand their lives - the difficulties they face, the strengths they bring, and what they feel must be addressed.
- **Participation allows community members to help create policy that really works to meet their needs.** By participating in their development, community members can see policies put in place that actually improve their lives, rather than having no effect or imposing added burdens on them.
- **Participation affords community members the respect they deserve.** Rather than being seen as victims or nuisances, community members engaged in a participatory social planning process are seen as colleagues and concerned citizens working to improve their community. They are respected both as human beings - as should always be the case, but often isn't - and for the skills, knowledge, and effort they contribute to the process.
- **Participation puts community members in control of their own fate.** The participatory social planning and policy development process results in citizens deciding what policies will work for them, and gives them the opportunity to change those policies if they're not working. It puts into practice the motto of the Back of the Yards Neighborhood Council in Chicago, founded by legendary organizer Saul Alinsky: "We, the people, will work out our own destiny."
- **Participation builds community leadership from within.** Those who take part in the process both learn and exercise leadership skills, and also start to see themselves as having the capacity to be leaders. The most important step to leadership, and to taking action to influence events that affect you, is to believe that you have the ability to do so.
- **Participation energizes the community to take on other issues or policy decisions in the future, and to see itself as in control of its future.** Thus, the community development process will continue over time.
- **Participation leads to long-term social change.** As community members take more control over more areas of their lives, as a result of the skills and attitudes gained from the participatory process, they will create and institutionalize changes that improve the quality of life for everyone in the community.



## Attachment: Decision Making Process

# Decision Making Process



Presentation to the charter commission by Tom Dillard Oct 27th ,2016

## Jonathan Beard: Public Comment

Data from form "Public Comment" was received on 10/19/2016 2:17:12 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| Name          | Jonathan Beard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Email address | <a href="mailto:jbeard@colcompact.com">jbeard@colcompact.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Message       | <p>I regret missing the October 13th committee meeting, though I don't regret the reason being in celebration of my 14th wedding anniversary in Savannah. I was pleased to see the video of the meeting, and appreciated Mike Curtin's great presentation on the history of Columbus city council and its size and format. Based on Mr. Curtin's depiction of a weakness of the at large format being the lack of African American representation on council since 1914, Bob Vitale asked a good question of Mr. Curtin -- if there was any evidence of a bias against minorities in the 1914 charter adoption. From our research about the Progressive Reform movement, our understanding is that implicit in many such city reform efforts was an effort of the Irish-Anglo immigrants to eliminate the growing political influence of newly-arriving German and Italian immigrants settling in neighborhoods and developing ward-based political power and the resultant perks of city jobs (i.e., the historic Irish police and fire jobs). In its 1982 amendments to Section 2 of the Voting Rights Act of 1965, Congress went beyond discriminatory intent to looking at the discriminatory effects of at large systems of government. In jurisdictions where there is a history of racially polarized voting, such systems are unlawful for their voter dilution effect on minority populations. Mr. Curtin's testimony alluded to a history of racially polarized voting on this issue in 1968 and 1975. Jenette Bradley asked if Mr. Curtin had information about the demographic of Issue 1 voting. I would suggest that the Issue 1 vote is not reflective of that history in that it was a citizen initiative, versus one proposed by the council, and that the opposition in power (Democrats opposing council districts for the first time in Columbus's history) spent \$1 million from the business community in defeating the issue -- 10 times more than the underfunded proponents. It should be noted that Issue 1 came out of the Black community amid our frustration that our community's priorities were not being adequately addressed in the at large format.</p> <p>Mr. Mills asked Mr. Curtin about research on campaign finance. I have done some, and what is stunningly clear is the amount of money needed to win citywide elections, and the fact that Black candidates (in the 2011 and 2013 elections that I studied) in particular are not raising nearly enough money to compete. In fact, the council president has been providing the vast majority of campaign funding for the Black incumbents (from 72 - 90%) of their funding, versus from 52-57% for all White incumbents. Whether they are Black or White, however, it is clear that candidates are overly-dependent on political funding for their elections in this at large system. History has shown us that, except for committee member Republican Jenette Bradley, no Black councilmember has been elected since 1969 without first being appointed. In a city that is evermore Democratic, the fact that a Black council member must first be selected by those in power should be troubling to any person with a love for and an understanding of the democratic ideal. (I limit this discussion to Black and White, because my understanding of the VRA is that given Columbus's demographics and residential patterns, Black electoral power MUST be given consideration under the law. However, the same type of consideration should apply to other minority communities as well.)</p> |

| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <p>There was discussion about the reasons for changing from at large, when, as Ms. Coe mentioned, a change to council districts has been voted down three times. To be clear, at large systems of government are discriminatory by design, which is reason enough to change. Since the defeat of Issue 1, we have been in touch with the NAACP Legal Defense Fund, which litigates against discriminatory electoral systems like at large systems, to assess the viability of a Voting Rights Act lawsuit against Columbus's at large form of government. The LDF is interested in this issue and is in the midst of an internal review to assess the viability of bringing a challenge. In a FAQ they have released to Columbus as a precursor to their possible involvement (which will be submitted to the committee), the LDF writes "... the Voting Rights Act forbids the use of any electoral scheme, such as the at-large method of election, that submerges the votes of people of color in elections that a white majority of voters control." The LDF further writes "without action by local municipalities, politicians who choose to maintain at-large voting can face time-consuming (e.g., two to five years) and costly litigation (e.g., millions of dollars)." As an Issue 1 proponent, I did not try to make it a racial issue, nor a political issue -- in fact, we tried to diffuse racial tension and/or charges of partisanship by having a Black and White, Democrat and Republican Issue co-chairs. The in power Democrat opponents of Issue 1 reversed course from Mayor Sensenbrenner's distancing itself from politics as relayed by Rep. Curtin, and made it a hyper partisan issue, with false accusations that it was sponsored by the Party of Trump with Koch Brothers support.</p> <p>Certainly providing a form of government that allows for a full expression of political thought where minorities are not always subsumed to a majority White vote -- whether or not a lawsuit is initiated or successful -- is an excellent reason for change. Columbus is not working for all of its citizens. Further, as mentioned above, the cost of at large elections limits competition to those who can access large sums of money -- citizens deserve open, fair and competitive elections, and having less expensive council district elections is simply good for democracy.</p> <p>I have drafted some maps of a 12 district council format which we (a group of us who have been working on this issue) think makes sense along with 3 members at large, which we will submit with demographics to illustrate that such a format would allow for roughly proportionate voting strength for the VRA-covered African American population (i.e., with 100% racially polarized voting, candidates supported by Blacks could win 3 of 12 districts (25% , versus the 28% Black population of Columbus). I urge the committee to look carefully at the intent and the requirements of Section 2 of the Voting Rights Act to ensure Columbus remains in compliance with the letter and the spirit of the law, as it considers changes to our archaic non-representative all at large form of government.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jbeard@colsccompact.com](mailto:jbeard@colsccompact.com) on 10/19/2016 2:17:12 PM.

## Tom Dillard: Public Comment

Data from form "Public Comment" was received on 10/24/2016 10:45:00 AM.

Contact the Charter Review Commission

| Field         | Value                                                                  |
|---------------|------------------------------------------------------------------------|
| Name          | Tom Dillard                                                            |
| Email address | <a href="mailto:Tomdillard2000@yahoo.com">Tomdillard2000@yahoo.com</a> |
| Subject       | Charter Review Public Comment                                          |
| Message       | Citizens Participation in the formation and implementation of policy   |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [Tomdillard2000@yahoo.com](mailto:Tomdillard2000@yahoo.com) on 10/24/2016 10:45:00 AM.

## **Tom Dillard: Handout for the presentation to the committee**

From: Tom Dillard [<mailto:tomdillardll@gmail.com>]

Sent: Monday, October 24, 2016 10:52 AM

To: Charter

Subject: Attached is my handout for the presentation to the committee

Attached is my handout to the committee for my presentation on Oct. 27 at 6:00 pm .

If you have question contact me at the number below.

Tom Dillard, MSSA, LSW

Tom Dillard & Associates

614-207-1248

[tom@tomdillard.org](mailto:tom@tomdillard.org)



## Ruth Parise: Public Comment

Data from form "Public Comment" was received on 10/27/2016 10:10:01 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                             |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Ruth Parise                                                                                                                                                                                                                                                                       |
| Email address | <a href="mailto:ruthap55@att.net">ruthap55@att.net</a>                                                                                                                                                                                                                            |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                     |
| Message       | <p>I would like to speak at this evening's meeting.</p> <p>Ruth Parise<br/>4759 Larkin Drive<br/>Columbus, OH 43231</p> <p>I do not represent any organization</p> <p>I am still working on my comments; if I can't complete early enough today, I will bring copies tonight.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [ruthap55@att.net](mailto:ruthap55@att.net) on 10/27/2016 10:10:01 AM.

## Jonathan Beard: Public Comment

Data from form "Public Comment" was received on 10/27/2016 4:11:20 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Jonathan Beard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Email address | <a href="mailto:jbeard@colcompact.com">jbeard@colcompact.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Message       | <p>TESTIMONY BEFORE THE COLUMBUS CHARTER REVIEW COMMITTEE<br/>October 27, 2016<br/>Jonathan C. Beard, 1815 Franklin Park South, Columbus, OH 43205</p> <p>1. Good evening, I am Jonathan Beard, Co-Chair of Represent Columbus, which sponsored Issue 1 as a citizen initiated charter amendment to reform Columbus City Council, seeking to move it from the archaic at large format to a more modern mixed system with 3 members at large and the rest from district.</p> <p>2. Issue 1 sought to move Columbus closer to the governing norm of American big cities, which is 13 members, comprised of 2 at large and 11 from districts.</p> <p>3. Issue 1 was defeated at the polls, in large part because it was successfully mischaracterized by an unmatched \$1 million in campaigning by the opposition, which came from the business community and the faction of Democrats in control of the Franklin County Democratic Party. It was absolutely not a proposal for a 25 member council, sponsored by the Party of Trump to create permanent Republican wards, which is how it was successfully framed by the opposition.</p> <p>4. It was a proposal for a 13 member council, with 10 elected by district and 3 at large. It was sponsored by me, an elected member of the Franklin County Democratic Party from Ward 55 (Franklin Park and OTE), in response to the deficiencies in city government that I have seen through my 20 years of work to revitalize Columbus central city neighborhoods. This is a Democratic initiative as it has been every time it hit the ballot.</p> <p>5. More specifically, Issue 1 came out of Columbus's Black Community, in response to council's shortcomings in adequately representing the residents and businesses along E. Main Street on the Near East Side during a period of drug related gun violence in 2005. These issues are being echoed today in our community's dissatisfaction over the council's approach to police/community relations today. Because these issues are important, we are preparing another citizen initiated amendment should the council not on its own put an issue on the ballot.</p> <p>6. We made some mistakes in framing the issue politically, last time:</p> <p>a. First, coming from my experience in Cleveland, we proposed that the council grow or shrink with changes in the city's population. That allowed the opponents to claim that it was a 25 member council that was being proposed – which could happen only if the city's population more than doubled to 1.65 million people.</p> <p>b. Second, some people also thought we should have submitted a map – which is only rarely a part of a charter document.</p> <p>7. This issue came out of Columbus's Black community, because we are not well-represented under the at large system.</p> |

| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|       | <p>8. Last time, we did not make this a racial issue because we thought that was divisive, we tried to focus on policy and best practice.</p> <p>9. Given the divisive campaign run by the anti Issue 1 forces, which turned corporate Democrats and corporate campaign dollars against progressive Democrats, Republicans, Libertarians, Greens, and Socialists – all of whom endorsed the change. I have provided this committee information from the NAACP Legal Defense Fund (“the LDF”) documenting how at large forms of government are often in violation of Section 2 of the Voting Rights Act.</p> <p>10. The Department of Justice says section 2 “ is a nationwide prohibition against voting practices and procedures, (including redistricting plans) that discriminate on the basis of race, color or membership in a language minority group. It prohibits not only election-related practices and procedures that are intended to be racially discriminatory, but also those that are shown to have a racially discriminatory result.</p> <p>11. The NAACP Legal Defense Fund says that “The Voting Rights Act forbids the use of any electoral scheme, such as the at-large method of election, that submerges the votes of people of color in elections that a white majority of voters control. Widely considered the crown jewel of American democracy, the Voting Rights Act is the most effective tool for protecting voters of color against methods of election – like at-large voting – that weaken the voting strength of communities of color. “</p> <p>12. At the last meeting, you heard Rep. Curtin discuss how it took 55 years after our at large system was installed before another African American Dr. John Rosemond, was elected in our citywide elections. Our first African American was elected from a district in 1880 (Rev. James Poindexter, which buildings named after him were demolished last year).</p> <p>13. Since Dr. Rosemond was elected in 1969, I believe Jenette Bradley is the only African American initially elected to council – the rest, all Democrats, have all been initially appointed, and run with the financial backing of the Franklin County Democratic party or the council president. In he 2011 and 2013 elections, the Black incumbents received from 73-90% of their funding from the council president – unlike their white counterparts, they were clearly unable to independently raise money and compete in citywide elections.</p> <p>14. It does not matter to the community or to Section 2 of the Voting Rights Act that we now have a majority Black city council – and they are all good people. The Black community deserves an electoral system that allows us the ability to elect council members of our own choosing, without the approval of white folk.</p> <p>15. We are finalizing revised ballot language and have started drafting electoral maps and will put this issue back on the ballot within a year by citizen initiative, if -- through the work of this committee -- the council does not act to do so. Council formats with a majority of members elected by district are the norm across the country, and such forms of government are clearly lawful, while our at large council is not clearly lawful -- which is something the LDF is looking at now in consideration of a lawsuit that they say would take 2-5 years, and cost the city millions of dollars to defend against. The Department of Justice initiates about 4 Section 2 lawsuits against municipalities every year, and the NAACP Legal Defense Fund settled a suit that ended at large systems in 176 jurisdictions across Alabama.</p> <p>16. All of our peer cities have districts: Indianapolis, Baltimore, San Francisco, Boston, Raleigh, Jacksonville, Seattle. In recent years, Detroit, Austin, and Seattle have abandoned their at large formats in favor of more representative systems with districts.</p> <p>17. Once informed, there is no justification for this committee to continue to support an electoral system that is designed to submerge minority votes, when other options are common. I ask that you consider the discriminatory structure and discriminatory effect of at large voting systems, which courts have determined to be unlawful across the country, I urge this committee to recommend the city support a council elected primarily by district to avoid the time, expense and divisiveness of a court or ballot battle. Thank you.</p> |



Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jbeard@colscompact.com](mailto:jbeard@colscompact.com) on 10/27/2016 4:11:20 PM.

## Deborah Supelak: Public Comment

Data from form "Public Comment" was received on 10/27/2016 5:12:14 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Deborah Supelak                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Email address | <a href="mailto:supelak@att.net">supelak@att.net</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Message       | <p>Charter Review Committee Hearing<br/>Oct 26, 2016 at Tuttle Recreation Center</p> <p>Public Comments<br/>submitted by Deb Supelak:</p> <p>I wish to speak to the matter of composition of Columbus' City Council, especially the need to structure Council in such a way as to maximize representation of the public constituencies it purports to serve.</p> <p>The primary argument against any ward-based system in Columbus has been that the city already has regional representation through the Area Commissions. However, I serve on an Area Commission and I have had opportunity at various community events to meet with about 20 other commissioners, representing about 8 or 10 other Area Commissions. Across the board, myself and all the others I have spoken with feel that the Area Commissions fail at achieving representation. The quasi-governmental nature of these Commissions means that there are no formal controls or oversights governing their operation. Some Commissions, I have been told by disgruntled commissioners and community members, are run dictatorially by chairs who unilaterally set agendas, who may shut down discussion of community topics without warning and without recourse. Further, there is no requirement that any recommendation from Commissions need to be formally acknowledged or addressed by City Council. Suggestions which the current Council members do not like are simply ignored. How does that fit with democratic representation of the communities' concerns? It, flatly, does not.</p> <p>To illustrate some of the glaring inadequacies of the Area Commission system, let me use my commission, the University Area Commission (UAC) as an example. Although we represent the most densely populated portion of the entire City, our "elections" scarcely get 2 or 3 dozen residents out to vote in them. The City offers no help in publicizing these commissions and puts no effort into promoting them as a vehicle for public participation in the governing process (except, I should say, for when council members dredge up the existence of the commissions as a last ditch defense when confronted with a public referendum to require wards). The UAC is currently preparing for elections; we have 5 seats open and received only 1 application for a candidate! Out of 10's of thousands of residents in the district! People simply don't know this body exists, so how could they possibly communicate their concerns to it; if the public is not communicating, how can the body represent them adequately?</p> |

| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|       | <p>Earlier this year, our community submitted a petition to City Council requesting a construction moratorium. The petition was signed by hundreds of residents and more than 2 dozen businesses. City Council had a few closed door meetings with representatives from the community, but took no action on it. The UAC drafted, debated, and passed a resolution requesting the City to honor the moratorium request. The UAC did not even receive acknowledgement of the resolution, and again City Council took no action. If these matters had been brought before Council by a ward-representative in an official capacity, the concerns of the public would have at least had a public hearing with the full due process of required by law; citizens would at least have the opportunity to see council debate and vote on their concerns.</p> <p>Columbus has become one of the very most financially segregated cities in the U.S. under the current City Council structure, and part of that system has relied on the largely secret Area Commissions that are rife with cronyism. We need a new system. We need council members who are appointed for the purpose of representing the concerns that are unique to the various portions of the city.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [supelak@att.net](mailto:supelak@att.net) on 10/27/2016 5:12:14 PM.

## William Schuck: Public Comment

Data from form "Public Comment" was received on 11/9/2016 1:30:50 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                            |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | William Schuck                                                                                                                                                                                                                   |
| Email address | <u><a href="mailto:ws096@hotmail.com">ws096@hotmail.com</a></u>                                                                                                                                                                  |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                    |
| Message       | I respectfully request time (5 to 10 minutes) to present testimony regarding a hybrid Council proposal (written copy will be submitted). I am available only on Nov. 10 (any time) and Nov. 17 (not before 7:30 pm ). Thank you. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [ws096@hotmail.com](mailto:ws096@hotmail.com) on 11/9/2016 1:30:50 PM.

## **Deb Roberts: Location Revision**

**From:** Deb Roberts, Mobile Food Truck Conference & Expo [<mailto:mzdoodah@earthlink.net>]

**Sent:** Thursday, November 10, 2016 7:57 AM

**To:** Charter

**Subject:** location revision

If you are going to send out a notice that the location has change, why don't you also update the page?

Deb

Deb Roberts

Columbus Mobile Food Conference & Expo Event Coordinator

Office/Cell: 614-228-1868

[www.ColsMobilefoodConf.com](http://www.ColsMobilefoodConf.com)

## Jessica Clinger: Charter Review Public Comment

Data from form "Public Comment" was received on 11/15/2016 12:35:52 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Jessica                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Email address | <a href="mailto:jessica.n.clinger@gmail.com">jessica.n.clinger@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Message       | <p>I attended the Charter Review Committee meeting on November 10th at Barack Rec Center. The presentations regarding the appointment process were very good and the discussion was thought provoking.</p> <p>I thought the ideas discussed by the committee regarding a "guardian" or "caretaker" model of appointments were very intriguing and I hope the committee will hear more information about this possible model of filling vacancies. I would like to see the committee continue to seek improvements to the appointment process which would address the cycle of appointments in recent years and advantage of incumbency when candidates run to fill the vacancy. Thank you.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jessica.n.clinger@gmail.com](mailto:jessica.n.clinger@gmail.com) on 11/15/2016 12:35:52 PM.

## Isaiah St. John: Charter Review Public Comment

Data from form "Public Comment" was received on 11/16/2016 2:01:03 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                 |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Isaiah St. John                                                                                                                                                                                                                                                                                                                       |
| Email address | <a href="mailto:isaiah.stjohn@gmail.com">isaiah.stjohn@gmail.com</a>                                                                                                                                                                                                                                                                  |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                         |
| Message       | I urge this committee to recommend immediate reform of the Columbus Charter to eliminate the discriminatory structure of city council with all at-large seats. We need a ward system so that all communities within Columbus are represented in City Hall. It is to the shame of our city that we have not already taken this action. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [isaiah.stjohn@gmail.com](mailto:isaiah.stjohn@gmail.com) on 11/16/2016 2:01:03 AM.

## Felicia A. Saunders: Public Comment

Data from form "Public Comment" was received on 11/16/2016 2:13:56 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Felicia A. Saunders                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Email address | <a href="mailto:easthavencivicblockwatch@gmail.com">easthavencivicblockwatch@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Message       | <p>Hello,</p> <p>I am the President of the Easthaven Civic Association. I have asked for a Community Recreation Center for the southeast side of Columbus for four years. The Easthaven community has a neighborhood park located on Weyburn Road with plenty of land around it, the park is also next to the Easthaven Elementary school. I was told four years ago, that it take lots of planning for a new center.</p> <p>1st question: How much more planning does it take to get a community recreation center in Easthaven or in the mall area?</p> <p>2nd question: I put in a request three years ago for sidewalks for Petzinger Road, starting at Wadsworth to Courtright Road. When will the community see that development?</p> <p>3rd question: We have had a drug house at 2346 Weyburn Road for over four years. It has been hit by SWAT last year but it is still in operation, the dealers are walking down to our park (where our children play) to sell their drugs. Now we have more drug houses trying to start up in Easthaven. What is it going to take to get this house shut down?</p> <p>4th question: What is the city dumping at Westfall located on Petzinger Road? I will provide you with a letter from one of our neighbors that live in the area at the meeting tomorrow.</p> <p>Other concerns:<br/>Easthaven Elementary school needs a new building or at less air conditioning in the school. Will the City repair curves in our community. All children will not go to college, could the city develop more trade and vocational training?</p> <p>Thank you for the neighborhood police safety cameras coming to the eastside of Columbus, I look forward to there arrival.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [easthavencivicblockwatch@gmail.com](mailto:easthavencivicblockwatch@gmail.com) on 11/16/2016 2:13:56 PM.



## **William Schuck: Schuck testimony for 11/17/16**

**From:** W [mailto:[ws091@hotmail.com](mailto:ws091@hotmail.com)]

**Sent:** Wednesday, November 16, 2016 1:37 PM

**To:** Charter

**Subject:** Schuck testimony for 11/17/16

My testimony to the City Council Review Commission on 11/17/16 is attached. Reminder: I will not be able to arrive before 7:30 pm.

William Schuck

**Attachment: Schuck Testimony-11.17.16**

**COLUMBUS CHARTER REVIEW COMMISSION  
TESTIMONY OF WILLIAM SCHUCK  
NOVEMBER 17, 2016**

Thank you for serving on this Commission and for the opportunity to present suggestions regarding City Council.

I am William Schuck, a resident of Northwest Columbus for 32 years. I previously served on the Columbus Development Commission, was on the Board of the Northwest Civic Association, and represented portions of Columbus in the Ohio House of Representatives for 14 years. This does not make me an "expert", but provides some familiarity with the City, some of its neighborhoods and how Council serves them, and the dynamics of representing more than 100,000 constituents. I am appearing as an individual citizen interested in improving City governance, and do not represent any other person or organization.

**Look to the Future**

This Commission can help Columbus meet challenges it will face in coming decades by recommending a Charter revision for a larger, hybrid City Council.

The City has grown too big and complex for at-large Council members to know a meaningful proportion of their constituents or intimately know neighborhood needs. Not far from where I live, school children walk in a busy street because there is no sidewalk. I recall a recent member of City Council asking, "Where is Don Scott Airport?" All areas of the City need proper attention to be safe, prosperous, and attractive.

Diversity makes the City more dynamic and resilient; the same is true of City Council. Making City Council more inclusive through district representation can give residents a greater sense of being represented personally. A more personal "stake" in the City will enhance citizen participation.

### **Council Structure**

The key to making a hybrid Council work is to balance competing considerations: (a) a Council big enough to include districts vs. not so big that it invites gridlock or creates excessive costs; (b) districts small enough that representatives can know a significant proportion of constituents vs. districts large enough that they are not dominated by parochial concerns; (c) a global perspective (at-large) vs. local/regional needs (districts).

The arrangements that best achieve this balance are: (a) 13 members, with 7 at-large and 6 districts; or (b) 11 members, with 6 at-large and 5 districts. This would move Columbus from one of the smallest Councils among large cities to the mean (a majority of U.S. cities with a population of 700,000 to 1,000,000 have 11 or 13 Council members). The initial target population of districts (approximately 172,000 for 5 districts or 143,000 for 6 districts) is large enough to ensure substantial diversity and small enough that a district representative can know a significant percentage of his/her constituents and their concerns.

A smaller district population (6 districts) would enable district representatives to be closer to their constituents, and this consideration will increase in importance as the City grows.

Also, adding 6 districts would not require a change in the existing at-large seats. However, a larger population (5 districts) may better accommodate various apportionment factors. Either alternative could work and would be an improvement over the current Council structure.

### **Global Outlook**

There is a concern that district representatives may be overly parochial or engage in vote swapping ("you support my local project and I'll support yours"). The following elements would tilt Council toward a holistic perspective:

- Require a majority of Council members (6/11 or 7/13) to be elected at-large.
- Require the Council President and President Pro Tem to be at-large members.
- Prioritize local projects according to objective criteria, similar to the Ohio Public

Works Commission.

- Adopt an "anti-logrolling" rule comparable to the Single Subject provision of the Ohio Constitution (Art. II Sect. 15(D) requires a reasonable relationship between subjects in legislation that is not an appropriation measure). Courts invalidate legislation on this basis only if there is a "manifestly gross and fraudulent" violation of the rule, so legislative bodies have extremely wide latitude in dealing with various issues in one piece of legislation.

### **Apportionment Process**

Boundaries of Council districts should be drawn to serve the community, not promote the interests of candidates, incumbents, political parties, or special interests. The following would provide an objective, transparent, non/multi-partisan apportionment process:

- Have the Mayor appoint an Apportionment Board comprised of Columbus voters with demonstrated knowledge of and commitment to the City. Require the Board to have political, demographic, and geographic balance. Exclude from the Board public officials (except Notaries and military), City employees, contractors, and lobbyists. Authorize the Board to retain expert assistance with legal and technical aspects of apportionment. Disband the Board when its job is done (appoint a new Board for each decennial reapportionment).

- Make the Board's apportionment software available to the public. Hold several hearings at times and places convenient to the public. Invite members of the public to submit apportionment plans. Evaluate proposals from the public and the Board according to the criteria below and submit up to 5 of the best plans to City Council, which would enact one of them.

- Apportionment should use federal census data, prevent Gerrymandering, and comply with Federal law. Require districts to be approximately equal in population (+/-5%) and have boundaries that are compact and contiguous, do not divide a precinct, do not divide a ward more than once, do not consider the political affiliation of residents, and do not consider the political affiliation or residence of incumbents or candidates.

Area Commissions and civic associations that perform comparable functions play an important role in the City, and some traditional neighborhoods have a strong sense of identity. An argument can be made that these areas should be kept intact in drawing Council district boundaries. However, this may run counter to other apportionment criteria (districts as close in population as possible, using existing wards and precincts, and compliance with federal law).

Also, it can be argued that dividing a neighborhood between two districts increases the neighborhood's representation on Council. Rather than making this an apportionment requirement, it *may* be better to make it a goal (keep such areas intact to the extent practicable). Reasonable minds can differ; this question should be thoroughly studied and debated to determine the community's wishes and what is doable.

It has been suggested that voters should be able to review Council district maps before a charter amendment goes on the ballot. This lacks merit for two reasons: (a) district maps do not belong in the Charter; (b) the maps would either be hypothetical (mere possibilities) or arbitrary (drawn by a few self-selected individuals). A better approach is to adopt a permanent apportionment process as discussed above, and let the best maps emerge through competition.

### **Timetable**

Place the proposed Charter amendment on the ballot in November 2017, to go into effect for Council races in 2019 and the Council seated in 2020. This will provide ample time for legal and technical review, public debate, and implementation.

### **Historical Concerns**

Certain concerns have arisen in previous efforts to create Council districts. Responsible reform should address these issues.

There may be a perception that a small Council comprised solely of at-large members is necessary to the City's growth and prosperity. Many successful large cities (growing economy/ population and high performance/satisfaction rating) have a council comprised of 11 or 13

members, some or all of whom are elected from districts. To the extent that cities with a substantially larger council tend to lag, that is not relevant to this proposal.

Safeguards against parochialism and vote-swapping are discussed above.

It has been argued that a voter who may be subject to taxation should be able to vote for or against all elected representatives who can vote to impose the tax. This rationale is sound, but goes only so far. Each member of the General Assembly can vote to impose taxes, but a voter can vote for only one State Representative and one State Senator. This is how republican government works when there is a large number of citizens. The target population of a Council district would be somewhat greater than a State House district (approximately 118,000), so the proposed arrangement is not novel. Requiring a majority of Council to be at-large members helps mitigate this concern.

One may ask why Council districts should be considered when voters have previously them, including overwhelmingly just a few months ago. The answer is twofold:

- The City has grown and changed significantly since the last time (1968) voters considered a proposal with (some) features similar to this proposal.

- The recent ballot initiative was deeply flawed and did not offer workable reform. Presentation at a special election fostered low voter participation. Debate took on a strained quality and most voters chose not to register their opinion. As a result, I do not believe that election accurately measured the considered views of most Columbus voters. A thoughtful proposal and healthy debate might, or might not, produce a different result; the only way to find out is to give voters a fair opportunity to pass judgment.

## **Conclusion**

This Commission can help City Council become more inclusive by recommending a hybrid Council with 11 members (6 at-large and 5 districts) or 13 members (7 at-large and 6 districts). That will help Council meet the challenges of coming decades by being more diverse and responsive to neighborhoods.

The keys to making a hybrid Council work are balance (a Goldilocks approach – "not too big and not too small, just right"); promotion of a global perspective; and an objective, transparent apportionment process that is as non-political as practicable and invites public participation. I believe this proposal meets these goals in principle; some details remain to be worked out and it is probable that improvements can be made, but perhaps it can serve as a starting point.

Should this Commission decide not to advance a particular hybrid Council plan at this stage, I encourage support for a process to develop one or more alternatives and place it/them before City leaders and the public for evaluation.

Thank you for your consideration. I am happy to take questions.

###



## Sandy Bolzenius: Charter Review Public Comment

Data from form "Public Comment" was received on 11/16/2016 3:54:56 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                    |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Sandy Bolzenius                                                                                                                                                                                                                                                                          |
| Email address | <a href="mailto:bolzenius.2@osu.edu">bolzenius.2@osu.edu</a>                                                                                                                                                                                                                             |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                            |
| Message       | My name is Sandy Bolzenius. My address is 88 West Blake Avenue, Columbus, Ohio 43202. I am a member of the Columbus Community Bill of Rights. I will be speaking on Thursday, November 17 about protecting our water, soil, and air from fracking waste. Thank you for this opportunity. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [bolzenius.2@osu.edu](mailto:bolzenius.2@osu.edu) on 11/16/2016 3:54:56 PM.

## **Alex Kass: Speaking at tomorrow's Charter Review Committee Meeting**

From: Alex Kass [<mailto:alex@democraticvoices.com>]  
Sent: Wednesday, November 16, 2016 4:00 PM  
To: Charter  
Cc: Michael Branche Jr.; [kleft06@gmail.com](mailto:kleft06@gmail.com); Michael Stinziano  
Subject: Speaking at tomorrow's Charter Review Committee Meeting

Hello!

I'm writing on behalf of the Franklin County Youth Council to request that one or more of the youth council members be on the agenda tomorrow to offer public comment at the Charter Review Committee meeting. Either Michael Branche Jr. only, or both Michael Branche and Kimani Leftridge would speak to the reasons why the committee should recommend the inclusion of youth seats on area commissions.

The Franklin County Youth Council's address is that of United Way of Central Ohio - 360 S. Third St., Columbus, OH 43215.

If the statements are done before noon, one of us will email them over. Otherwise, we will bring the requisite copies.

Please let me know if this is confirmed!

Thanks and see you tomorrow,

--

Alexandra Kass  
Executive Director, Democratic Voices  
(614) 403-1717  
[@AKtweets4](#) [@demVoices](#)  
[demVoices on Facebook](#)

## Joseph Sommer: Charter Review Public Comment

Data from form "Public Comment" was received on 11/17/2016 11:24:06 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Joseph Sommer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Email address | <a href="mailto:jcsommer@aol.com">jcsommer@aol.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Message       | <p>Charter Review Committee:</p> <p>I'd like to share with you an experience I had several years ago. It contributed to concerns I have about Columbus City Council's operations. And I think it points to some of the reforms needed for those operations.</p> <p>The incident occurred at a political event in Columbus. The persons at a table with me included then-City Council Member Eileen Paley and Council's then-Communications Director John Ivanic. I asked Ms. Paley some questions about whether, as a Council Member, she would support city funding to restore a particular public service. She replied that she didn't know the answers to my questions. Mr. Ivanic jumped into our discussion and told her twice in an authoritative tone: "The answer is no."</p> <p>I was bothered by that exchange. Mr. Ivanic had not been elected to public office. But he was dictating to an elected City Council Member what her position is on a city issue. His attitude clearly was that Ms. Paley didn't need to think about the issue, research it, consider what I thought about it, or look into what other constituents might think. In his view, all she needed to know was that he, as Council's spokesman who reported to the Council President, had told her what her position is. And she apparently had no objection to this treatment.</p> <p>Within a few days after witnessing that exchange, I sent an email to Ms. Paley about it, and I copied the offices of the other Council Members and Mr. Ivanic. No response was provided to me, even though I was expressing a very serious concern about how Council operates. I still have the email, if you would like to see it.</p> <p>In trying to understand on my own what was going on at the table, I note three factors that not only applied to Ms. Paley's situation but also normally apply to the other Council Members. First, she was initially appointed to City Council by the Council President and other Council Members, not elected by the voters. Second, in subsequently running to retain the office, she received a significant amount of her campaign funds from the Council President's PAC (reportedly 52% in one campaign). Third, as shown in several of the countywide political races this year, the Council President apparently has much influence over who will be endorsed by the Franklin County Democratic Party and thus appear on its sample ballot - which can make or break a person's political career. That all amounts to immense power the Council President has over the Members' political futures.</p> <p>With the Council President possessing so much leverage over the Members, it's not surprising that there's almost no debate on issues that come before Council (even on issues that are highly</p> |

| Field | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <p>controversial among the public), almost all of Council's votes are 7-0 in favor of whatever the Council President wants, and Council's Communications Director felt he could publicly dictate to a Member what her position is on an issue. But having Council Members who are mere puppets of the Council President - rather than free persons who objectively think for themselves and listen to their constituents - is obviously inconsistent with how American democracy is supposed to operate. And as the old saying goes, if two people always agree, one of them is unnecessary.</p> <p>To help correct this situation, I hope the Charter Review Committee looks for ways to help make the Council Members less reliant on the Council President and his PAC for the attainment and retention of their offices. It seems that if some Council candidates ran in districts, this would reduce their campaign costs and their need to rely on the Council President for financial and other support. Moreover, campaign finance reform (including public funding of Council campaigns) could also help lessen the candidates' need to turn to the Council President for funding. Both of these steps would likely make the Council Members more independent of the Council President, increase their ability to think for themselves, and allow them to give stronger consideration to the views of their constituents.</p> <p>Perhaps those results are a reason why virtually all other large American cities include some form of district representation on their city councils. And it may be why some progressive cities (including Seattle recently) have instituted campaign finance reform. These features of city governments appear to be "best practices."</p> <p>Thank you for considering this information. If you have any questions, please do not hesitate to contact me.</p> <p>Joseph Sommer<br/> 5672 Great Hall Court<br/> Columbus, OH 43231-3067<br/> 614-226-1685 (cell)</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jcsommer@aol.com](mailto:jcsommer@aol.com) on 11/17/2016 11:24:06 AM.

## Reverend Charles Wilson: Charter Review Public Comment

Data from form "Public Comment" was received on 11/17/2016 3:50:52 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | the Rev'd Charles Wilson                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Email address | <a href="mailto:stphilrector@gmail.com">stphilrector@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Message       | <p>Hello,</p> <p>I am thankful that this process is underway. I support changing the structure of City Council's current configuration and hope the end process moves us into ward seats for Council.</p> <p>By doing this, I feel there would be greater direct accountability of council members to their constituents, but also accountability for the neighborhoods as to the city as a whole. Currently there is no end point for accountability or clear understanding of who is in charge.</p> <p>Thank you and I would appreciate the opportunity to participate in these discussion as you move forward.</p> <p>Peace.</p> <p>Charles Wilson +</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [stphilrector@gmail.com](mailto:stphilrector@gmail.com) on 11/17/2016 3:50:52 PM.

## C. Sunny Martin: Charter Review Public Comment

Data from form "Public Comment" was received on 11/17/2016 4:29:50 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | C. Sunny Martin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Email address | <a href="mailto:Sunny@csunnymartin.com">Sunny@csunnymartin.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Message       | <p>For a significant amount of years Columbus City Council along with the Franklin County Democratic Party has been actively engaged in the disenfranchisement of the citizens of The City of Columbus. At issue is the practice of appointing individuals who are lock-step inline with the Democrat Party leadership. By the prearranged shuffling, vetting and/ or appointment of those hand picked by Democrat Party leadership it circumvents the input from the voting public to elect others of independent thought!</p> <p>In my honest opinion, the City of Columbus' Mayor's office, the Columbus City Council, along with the Franklin County Democratic Party have been operating much like a cartel, advancing a co-horted agenda without much input from the citizens. Additionally, all running for office and receiving the endorsement and financial funding of the party!</p> <p>C. Sunny Martin</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [Sunny@csunnymartin.com](mailto:Sunny@csunnymartin.com) on 11/17/2016 4:29:50 PM.

## Denise Benning: Charter Review Public Comment

Data from form "Public Comment" was received on 11/17/2016 6:33:43 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                  |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Denise Benning                                                                                                                                                         |
| Email address | <a href="mailto:neasy4@yahoo.com">neasy4@yahoo.com</a>                                                                                                                 |
| Subject       | Charter Review Public Comment                                                                                                                                          |
| Message       | We do not sanction discrimination in Columbus, and it is incumbent upon this group to recommend immediate change. When will there be change and not just conversation? |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [neasy4@yahoo.com](mailto:neasy4@yahoo.com) on 11/17/2016 6:33:43 PM.

## Amy Harkins: Charter Review Public Comment

Data from form "Public Comment" was received on 11/18/2016 9:58:41 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                              |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Amy Harkins                                                                                                                                                                                                                                                                                                                                                        |
| Email address | <a href="mailto:Amy.harkins@gmail.com">Amy.harkins@gmail.com</a>                                                                                                                                                                                                                                                                                                   |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                      |
| Message       | <p>I would like to share my support of the 7 District plan for the charter review committee's consideration. I think it is important to have local representation in our neighborhoods that is publicly elected and representative of the neighborhood's demographics.</p> <p>In a diverse, progressive city, we are woefully behind the times in this regard.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [Amy.harkins@gmail.com](mailto:Amy.harkins@gmail.com) on 11/18/2016 9:58:41 PM.



## Julie Eichorn: Charter Review Public Comment

Data from form "Public Comment" was received on 11/19/2016 1:25:13 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Julie Eichorn                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email address | <a href="mailto:jeichorn0531@gmail.com">jeichorn0531@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Message       | <p>I am very much in support of council districts or wards. I am a former ward councilwoman from another city. I feel that the ward or district breakdown results in fairer and more accurate representation across the city.</p> <p>We have folks who are not represented at all on our current council and areas of town that are not represented. This has resulted in neighborhoods being left behind for improvements and economic development</p> <p>Also our current system of appointments to council is grossly unfair as you can pick who will be selected based on whose inner circle the candidate belongs.</p> <p>Our current system does not work, it does not represent the entire citizenry of Columbus and should be changed.</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [jeichorn0531@gmail.com](mailto:jeichorn0531@gmail.com) on 11/19/2016 1:25:13 PM.

## Erik Clarke: Charter Review Public Comment

Data from form "Public Comment" was received on 11/23/2016 11:23:40 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Erik Clarke                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email address | <a href="mailto:ErikClarke50@gmail.com">ErikClarke50@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Message       | <p>First of all thank you for all of your hard work on this committee; I believe what you're doing is of the utmost importance in uniting our communities and ensuring that our local government continues to function at it's most effective level.</p> <p>I wanted to offer a public comment to you advocating that you find a balanced approach as you provide a recommendation to the mayor, city council, and the voters of Columbus. The scope of city council is reasonably large and I can imagine a challenge for existing members of council to keep up with community challenges and opportunities. For this reason, I hope you will consider adding additional seats to city council. An expansive ward map may, however, pose additional challenges to the business of city council through complexities in setting the boundaries of the map, expanding the map according to population, or detailed rules as to how the map would change over a period of time or conditions.</p> <p>I hope you will consider either a small set of wards [four?] or adding additional at-large positions to city council- if that is the course of action you take.</p> <p>I wish you luck as you wrap up your charter review and hope you take into consideration the success and long-term stability of our existing system as you form your recommendations.</p> <p>Best,<br/>Erik Clarke</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [ErikClarke50@gmail.com](mailto:ErikClarke50@gmail.com) on 11/23/2016 11:23:40 AM.

## Kalitha Williams: Charter Review Public Comment

Data from form "Public Comment" was received on 12/9/2016 1:54:56 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                          |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Kalitha Williams                                                                                                                                                                                                               |
| Email address | <u><a href="mailto:kalithawilliams@hotmail.com">kalithawilliams@hotmail.com</a></u>                                                                                                                                            |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                  |
| Message       | <p>Where are the comments that were offered by members of the public? They are referenced in the minutes, but I cannot find them on the website..</p> <p>If possible email me all of the presentations and public comments</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [kalithawilliams@hotmail.com](mailto:kalithawilliams@hotmail.com) on 12/9/2016 1:54:56 PM.

## Joseph Sommer: Professor Tokaji's Nov. 17 presentation

**From:** [jcsommer@aol.com](mailto:jcsommer@aol.com) [mailto:[jcsommer@aol.com](mailto:jcsommer@aol.com)]

**Sent:** Monday, December 05, 2016 12:12 PM

**To:** Charter

**Cc:** Cox, Joshua T.; [tokaji.1@osu.edu](mailto:tokaji.1@osu.edu)

**Subject:** Professor Tokaji's Nov. 17 presentation

Charter Review Committee:

I attended your Nov. 17 meeting and reviewed the video of Professor Daniel Tokaji's presentation, which I appreciated. He prefaced his remarks by saying he had been asked to speak "about the federal law constraints on redistricting." He said he would therefore address "four different kinds of federal law claims that . . . sometimes are used to challenge redistricting plans at the local level as well as at the state and federal level."

Information about those federal claims is certainly helpful to the Committee's considerations. But I don't think it goes far enough. Also relevant to the Committee's decisions are the likelihood such claims would be made against Columbus and how difficult avoiding them would be if Columbus were to add district representation to City Council. Because those matters involve facts specific to Columbus, perhaps the City Attorney's Office is the best one to address them. As a Columbus resident and an attorney, however, I would like to make the following comments about them.

### **The four federal claims**

#### ***One person, one vote***

One of the possible claims that Professor Tokaji addressed involved the "one person, one vote" requirement under the Equal Protection Clause of the U.S. Constitution. As he explained, it requires districts to be drawn to include approximately equal populations. It also requires the lines to be modified after each decennial census so that the districts continue having approximately equal populations. Professor Tokaji said the courts generally allow districts to deviate in population size by no more than 10%. Thus, if the districts are drawn such that their sizes accord with what the courts have directed, there should be virtually no chance of this type of federal claim being brought against Columbus.

#### ***Partisan gerrymandering***

Another possible claim that Professor Tokaji discussed was partisan gerrymandering, i.e., the drawing of districts to favor a certain political party. In the professor's 2013 book *Election Law in a Nutshell*, pages 69 to 76 discuss a number of factors that can be taken into account in drawing districts. Some of the factors are sometimes set forth in laws on the subject. Professor Tokaji explains on page 75: "Supreme Court precedent requires federal courts to respect state law regarding the criteria to be used in drawing district lines."

As for the likelihood of a successful legal challenge based on partisan gerrymandering, Professor Tokaji indicates in his book, as he did in his talk, that the judicial decisions are confusing. Then he says on page 92: "Whatever the current law on the subject, most commentators believe it unlikely that the Supreme Court, as currently constituted, will hold any plan to be an unconstitutional partisan gerrymander. While technically leaving the door open to such claims, it is unlikely to allow anyone to pass through."

Thus, a legal challenge on this basis also appears to have little chance of success. The possibility of a challenge being brought could be reduced even more - and probably eliminated - by having the law contain requirements

preventing partisan gerrymandering when district lines are drawn. A number of jurisdictions around the country have such requirements.

### ***Minority vote-dilution and racial gerrymandering***

The other two possible federal claims discussed by Professor Tokaji were minority vote-dilution claims under the Voting Rights Act and racial-gerrymandering claims under the Equal Protection Clause. Regarding minority vote-dilution, Professor Tokaji explained that Section 2 of the Voting Rights Act, as amended in 1982, prohibits district lines from being drawn such that a discriminatory result based on race occurs. Section 2 says whether a violation occurred is decided "on the totality of circumstances."

As for racial-gerrymandering claims under the Equal Protection Clause, Professor Tokaji indicated that race can be the predominant factor in drawing district lines only if narrowly tailored to serve a compelling interest. Otherwise, the use of race as the predominant factor violates the Equal Protection Clause, which guarantees "the equal protection of the laws."

Chapter 6 of Professor Tokaji's book discusses both minority vote-dilution and racial-gerrymandering claims. The final two paragraphs of the chapter provide possible guidance on how the claims can be avoided. He says on page 146: "So long as a state or locality can point to a non-racial, political justification for drawing lines, it is likely to prevail." He adds that although race may sometimes need to be considered to avoid violating the Voting Rights Act, government may not go too far in drawing lines based on racial considerations.

The U.S. Department of Justice's website gives additional information about the interplay between the Voting Rights Act and the Equal Protection Clause in drawing district lines. The DOJ states: "While it remains legally permissible for jurisdictions to take race into account when drawing election districts, the Supreme Court has held that the Constitution requires a strong justification if racial considerations predominate over traditional districting principles. One such justification may be the need to remedy a violation of Section 2 of the Voting Rights Act. While such a remedy may include election district boundaries that compromise traditional districting principles, such districts must be drawn where the Section 2 violation occurs and must not compromise traditional principles more than is necessary to remedy the violation."

In view of the information from Professor Tokaji and the DOJ on minority vote-dilution and racial-gerrymandering claims, district lines should be legally valid if "traditional districting principles" are used in drawing them and a "non-racial, political justification" for them can be shown. For race to be allowed as the predominant factor in drawing district lines, there would have to be a compelling interest such as a need to remedy a finding of racial discrimination. And the departure from normal districting principles could be no greater than necessary to serve the compelling interest.

It appears that with appropriate governing provisions placed in the law and adequate legal advice, Columbus could draw district lines such that the likelihood of federal challenges on these two grounds would also be extremely low.

### **Federal lawsuits are not a problem for numerous other cities having district elections**

Other local governments in Ohio have apparently been drawing district lines without incurring federal challenges. In response to a Committee Member's question about whether Ohio municipalities or counties have had federal claims made concerning their district lines, Professor Tokaji identified the only one he knew of as Euclid. He said strong evidence of racial polarization existed in that city, and the successful lawsuit was brought by the DOJ. With many other Ohio local governments seemingly avoiding the lawsuits, Columbus should be able to do the same.

If there is still concern about federal lawsuits, the Committee might want to have its researchers examine how often cities in Ohio and across the country have been sued over the drawing of district lines. Nationwide, 48 of the

50 largest U.S. cities must redraw their city council districts every 10 years. It would be interesting to know the number that have been subjected to any of the four federal claims. And for the ones that have avoided lawsuits, or a sample of those cities, it could be helpful to know their procedures for doing so.

## **Conclusion**

In the absence of a showing that Columbus is unable to draw district lines in a manner that many other cities have apparently done without being sued, these federal lawsuits appear highly unlikely to be brought if the city were to adopt council districts. They thus may warrant little weight in the Committee's evaluation of districts. Additionally, the possibility of federal challenges could be reduced even more by placing in the law the appropriate factors that should and should not be considered by the body drawing the districts, by ensuring that the body has appropriate legal counsel available, and by making the body nonpartisan.

As I mentioned above, the Committee may want to consult with the City Attorney's Office about these matters. I have copied Joshua Cox, the Chief Counsel in that Office, on this email. I have also copied Professor Tokaji in case he has additional comments.

Thank you for your work and for considering my views.

Joseph Sommer  
5672 Great Hall Court  
Columbus, OH 43231-3067  
614-226-1685 (cell)

## **Jonathan Beard: Info for charter committee**

**From:** Jonathan Beard [<mailto:jonbeard1964@gmail.com>]

**Sent:** Sunday, December 11, 2016 11:10 PM

**To:** Charter

**Subject:** Info for charter committee

Please see attached Fact Sheets from Columbus Coalition for Responsive Government, prepared in 2011. Thank you.

- Jon Beard  
614-395-1946

## Attachment: A History and Perspectives On Columbus City Council

### COLUMBUS COALITION FOR RESPONSIVE GOVERNMENT

A Citizens' Ballot Initiative to reform the Charter of the City of Columbus, to create a more responsive and more accountable Columbus City Council that consists of 4 members elected "at-large" in city-wide elections, and 7 members elected by the residents of each of 7 neighborhood-based Districts.

We are a non-profit  
Ballot Initiative  
Committee

1051 E. Main Street  
Columbus, OH 43205  
(614) 595-2986  
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### A HISTORY AND PERSPECTIVES ON COLUMBUS CITY COUNCIL

In 1912, the State of Ohio adopted "Home Rule" legislation to allow local communities to self-govern. In response, local leaders created a 15 member Charter Commission to develop a City Charter that would provide the basis for "home rule" in Columbus. "The form of charter was left to the judgment of the commissioners, but they were pledged to write into the charter the non-partisan ballot, the short ballot and a more centralized form of government."<sup>1</sup>

This was consistent with the *Progressive Reform movement* sweeping across the nation in the early 1900's, as a reaction to the facts that new immigrant populations were clustering in ethnic neighborhoods and developing Ward-based political power, and that big industrialists and their "new money" and power were becoming increasingly influential in the affairs of local communities. Across the country, "At Large" governance – where Ward politics were replaced by City-Wide politics - became a mechanism preferred by local business and social associations to help them retain the local influence they had long considered to be their province.<sup>2</sup>

A campaign committee led by Columbus attorney Hugh Huntington pushed for adoption of the proposed Charter, which was adopted by the voters in 1914. This new Charter changed the way the City was traditionally governed. In the immediate past, the City Council had consisted of 19 council members: 3 elected at large and 16 elected from Wards. The new council structure created by the new Charter consisted of seven members elected citywide ("At Large"), and for the first time, no members were elected by Ward ("Wards" and "Districts" are interchangeable terms). Terms of office were lengthened from 2 years to 4 years, and the president of council was to be chosen by the members of council itself, rather than by the citizens. Many of these provisions were quite controversial at the time:

"... I feel that a great injustice will be done to the great mass of our citizens should they be so unfortunate as to have the new proposed city charter foisted upon them. It is not a reform measure, but, on the contrary, it is strongly reactionary. It is distinctly a class charter, opposed to the welfare of the people, conserving the interest of the scholastic and the high class business man. It is, therefore, unfair, un-American and should be destroyed ... evidently the whole intention of these master commissioners is to prohibit the frequency of elections; remove them as far as possible out of the hands of the 'common herd' of mankind; lengthen terms of office, reduce the number of elective officers, and, in a word, establish an aristocratic system."<sup>3</sup>

Fortunately, the charter also provided "the machinery with which the people may amend its provisions as future necessity may arise. The people will have the power

<sup>1</sup> The Columbus Citizen. *Charter Adopted by Majority of 1042; Effective in 1916*, May 6, 1914, p. 1. [Emphasis added]

<sup>2</sup> Hofstadter, Richard. *The Age of Reform: From Bryan to F.D.R.*, 1955. (Note: this book won the 1956 Pulitzer Prize for History.)

<sup>3</sup> Thomas E. Beall. *The Columbus Dispatch: A Reactionary Charter: To the Editor*, May 3, 1914, p. 5.



- "When you've got a couple hundred thousand dollars in the bank, it's a lot easier to just pull the wagons in a circle and wait until that last two weeks for a media blitz," he said. "I had difficulty in engaging the opposition in any meaningful discussion of the issues ... The people who can solve the problem are the people who benefit most from the status quo." ([The Columbus Dispatch](#). Quoting Richard Whitehouse, Republican candidate for City Council, in *Lazarus, Others Sound Reform Call on City Elections*, December 13, 1993.)

#### 1994

- By 1994, even the Columbus Dispatch Editorial Board wrote about a proposed campaign finance reform initiative for Columbus City Council: "Cynicism about government at all levels has been growing for some time. Certainly the huge amounts of money that grease the election process result in many citizens believing officeholders do the bidding of their powerful supporters, and the average citizen has almost no voice." ([The Columbus Dispatch](#). *Campaign Gold – Council Working toward Election Reform*, July 21, 1994.)

#### 1998

- A City-appointed Charter Review Committee held a public hearing and "most of those who spoke - from neighborhoods on the South Side, East Side, Far West Side and Clintonville - said they want council members who represent their slice of the city and some members who represent the city at large." ([The Columbus Dispatch](#). *Ward-Government Idea for City Has Its Constituency*, June 24, 1998.)
- Former councilmember Portman reiterated, "Seven council members for a city this size is ridiculous, you can't possibly be in touch with citizens regularly. You can't rely on your aides completely, and you can't rely on the commissions. I feel that the most practical solution would divide the city into districts, and to prevent conflicts, you should have a certain number of at-large members to balance it out." ([The Columbus Dispatch](#), June 24, 1998.)
- "Columbus voters ought to reflect upon several questions. Does this tightly controlled, one-party legislative body impact the city's growth and competitiveness? Can council members appointed to office by their fellow members and re-elected as part of a 'team' possibly have sufficient independence to think 'out of the box' or aggressively oppose other council members? Can this tiny body of seven people really reflect the needs of a community nearly three-quarters of a million in size? Finally, when more than 90 percent of council members who have served since 1985 have been appointed to their seats and then run as incumbents a year or two later, is new talent and fresh thinking being sacrificed for party loyalty?" (Ernie J. Shannon, *Columbus City Council*, October 2009.)

#### 2010

- Former Columbus City Council President John Kennedy said of a discussion of District-based governance: "it's a fair issue to look at as the city grows." ([The Columbus Dispatch](#). *Group's New Push: Columbus Council Elections By District*, November 5, 2010.)

#### 2011

- Finally, Columbus -- the largest city in Ohio by both population and geography -- has a smaller council than Akron, Canton, Cincinnati, Cleveland, Parma, Toledo, and Youngstown. Among Ohio's largest cities, only Dayton has a smaller council than Columbus. ([The Columbus Dispatch](#). *Only Inconsistencies Rule in Big-City Councils*, May 1, 2011.)

## 1991

- Councilmember Maury (M.D.) Portman advocated for an expansion of Council to 9 members, saying "the council is going through the motions of trying to represent all of the city ... I think the city has just grown too big to be represented by seven members. With the annexation of a chunk of southern Delaware County, the city is even bigger ... seven council members for almost 700,000 people is ludicrous. One council member represents 100,000 people? We're out of date." (The Columbus Dispatch, *9-Seat Council Pushed*, June 13, 1991.)

## 1993

- A five member Charter Review Commission initiated by Mayor Rinehart, Council President Lazarus, and City Attorney O'Brien recommended further studying the size and composition of council. (The Columbus Dispatch, *City Charter – Council Submits, Voters Decide on Revisions*, March 21, 1993.) [Note: This recommendation was dismissed by City Council and never brought to a vote.]
- "The open forum at the end of each Columbus City Council meeting should continue to be televised, a task force has concluded. 'A responsive governing body will place a high value on the involvement of citizens in the legislated process,' concluded the panel, headed by Councilwoman Jennette Bradley. 'This language ... guarantees those permitted to speak before council the right to be televised on the public access channel.' In the past, Columbus City Council has provided an opportunity for citizens to express their opinions about proposed legislation at council meetings and public hearings, the task force said, it is the opinion of this committee that this citizen involvement should continue." (The Columbus Dispatch, September 11, 1993.) [Note: Council woman Bradley was the last Republican on Council. Council terminated the "right" for citizens to speak in open forum at the end of council and have that speech broadcast on the public access channel. In addition, Council has terminated and continues to refuse to provide funding for Public Access Television, over the objections of many citizens.]
- "The high cost of running for the Columbus City Council, which has nearly doubled in four years, has renewed calls for city campaign finance reform. The trio of incumbents who won this year spent an average of more than \$155,000, according to campaign finance reports filed Friday. The losers in the six-way contest spent an average of about \$25,000 ... 'It really cuts out the people who want to run and want to serve, who do not have the resources to put the money in it ... you don't need to be raising a half-million dollars for that kind of position,' Sams said, 'electing some council representatives from wards would cut down on the need for huge campaign bankrolls as well as give neighborhoods a greater voice on the council.'" (The Columbus Dispatch, Quoting Ron Sams, Republican candidate for City Council, in *Lazarus, Others Sound Reform Call on City Elections*, December 13, 1993.) [Note: campaign finance reform was never enacted by City Council. In 2011 elections, incumbents raised and spent over \$790,000, while the challengers raised and spent \$240,000 combined. Campaign finance reform exists in other At Large cities; however, such as Austin, TX.]
- "Salerno said campaign finance reform is needed to level the playing field for challengers, who usually have fewer connections with high-powered contributors. 'If it takes six figures to win elections locally, you're just going to continue to have incumbents win', Salerno said. 'It doesn't allow the public the access they should have to the challengers.'" (The Columbus Dispatch, Quoting Amy Salerno, Republican candidate for City Council, in *Lazarus, Others Sound Reform Call on City Elections*, December 13, 1993.)

#### 1958

- The City-appointed Charter Revision Committee reported that "Columbus has been growing with ever-increasing rapidity, both in area and population, and the present Charter is no longer in tune with the times," and recommended "an increase in the size of Council from 7 to 9." (*Report of the Charter Revision Committee to the Council of the City of Columbus, Ohio*, December 19, 1958.)

#### 1968

- Mayor M.E. "Jack" Sensenbrenner declared that "we need representation of every segment of the City of Columbus," as he supported a 13 member Council where a majority (7) was elected from Districts. (*The Columbus Dispatch*. *13 Member Council On May 7 Ballot*, March 5, 1968.)
- The Columbus Area Chamber of Commerce passed a resolution in support of the 13 member, District-led council proposal, saying "approval of the proposed amendments would provide area representation on a proportionate population basis, whereby citizens in every part of the city would have assured access to their elected councilmen." (*The Columbus Dispatch*. *C of C Alters Stand on Charter Change*, April 29, 1968.)

#### 1975

- Councilmember Dr. John Rosemond, the first African American elected to council under the At Large scheme, endorsed a Charter Amendment placed before the voters to form an 11 member council consisting of 6 Districts during his run for Mayor against Republican Tom Moody. Both he, and the amendment, were soundly defeated. [Historical note: the first African American councilmember was Rev. James Preston Poindexter, elected in 1880 when Columbus had a 19 member council, with 3 elected At Large and 16 elected from Wards (Rev. Poindexter was elected from the 2<sup>nd</sup> Ward). After the 1914 change to an At Large system, it was 55 years before another African American was elected to council, in the person of Dr. Rosemond in 1969.] (*The Columbus Dispatch*. *Expanded Council Put to City Voters*, July 22, 1975.)
- "Under existing regulations, about half of the television time, including the prime-time hours, is supposed to be made available for public use. The other half of the time is to be used by the city for television government information and city council meetings. Much of the public use is expected to be informational programs by social service groups, educational groups, and scouting organizations. However, individuals will also be given the chance to broadcast their own shows and viewpoints." (*The Columbus Dispatch*. *Fight Brews Over Control of City Cable TV Channel*, February 23, 1981.) [Note: City Council has eliminated all funding for public access television, and refuses to reinstate the funding and the public's access to the mass media station the public, through the City of Columbus, owns. Instead, CTV-3 operates with programming controlled exclusively by city government and no public programming.]



## Attachment: Voices From the Past

### COLUMBUS COALITION FOR RESPONSIVE GOVERNMENT

A Citizens' Ballot Initiative to reform the Charter of the City of Columbus, to create a more responsive and more accountable Columbus City Council that consists of 4 members elected "at-large" in city-wide elections, and 7 members elected by the residents of each of 7 neighborhood-based Districts.

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[www.columbuscoalition.info](http://www.columbuscoalition.info)

### VOICES FROM THE PAST:

98 YEARS OF COLUMBUS LEADERS' STATEMENTS ABOUT THE CHARTER AND COUNCIL

1914

- "The laboring men will not be benefited or represented in a council of seven men elected at large, four of whom, at least, will be corporation hand-picked, and will vote as the corporations dictate, as against the interests of the men who work." (The Columbus Evening Dispatch, *Four Times, Form of Government Has Been Changed*, by George D. Jones, former assistant law Director, City of Columbus. May 1, 1914.)
- "... I feel that a great injustice will be done to the great mass of our citizens should they be so unfortunate as to have the new proposed city charter foisted upon them. It is not a reform measure, but, on the contrary, it is strongly reactionary. It is distinctly a class charter, opposed to the welfare of the people, conserving the interest of the scholastic and the high class business man. It is, therefore, unfair, un-American and should be destroyed ... evidently the whole intention of these master commissioners is to prohibit the frequency of elections; remove them as far as possible out of the hands of the 'common herd' of mankind; lengthen terms of office, reduce the number of elective officers, and, in a word, establish an aristocratic system." (Thomas E. Beall. The Columbus Dispatch: A Reactionary Charter: To the Editor, May 3, 1914.)
- "Sir: If representative government, whereby a portion of the nation, state and city, chooses men to represent it in congress, the legislature and council, is right, the new charter which provides for election of councilmen at large, is wrong. If representative government is wrong, the new charter is right. It should not take much time for a good American to decide which he thinks is right, and which wrong, and vote accordingly at Tuesday's election." (Ann L. McCoy. The Columbus Dispatch: A Short Question: To the Editor, May 3, 1914.)
- "How can the laboring men, who work in shops and factories and along other lines of employment, cease from work and call at the city hall to urge upon city officials and members of council the many improvements which the neighbor hoods in which they live demand and especially when these visits will be made to men whom they have never met and who are not familiar with the localities in which these working men live? The present members of council, elected as they are by wards, can be seen by the people whom they represent at most any hour of the day or night. Their constituents are acquainted with them, as friends and neighbors, and therefore feel free to talk of required improvements or file complaints. (The Columbus Sunday Dispatch. *Vote Against the Charter Because It Will Destroy Home Rule (Political Advertisement)*, May 3, 1914.)
- "The Franklin County Democratic Club requests you to go to the polls and vote and work against the proposed charter tomorrow, May 5<sup>th</sup>." (Columbus Citizen. *Charter is Adopted by Majority of 1042; Effective in 1916*, May 6, 1914.)

to change it at any time to suit the requirements of a rapidly growing city, or to correct any possible defects which may develop in the new form of government.”<sup>4</sup>

And the Columbus City Charter has, in fact, remained a living document, having been amended 61 times over the past 98 years. However, the 7 member At Large Council provision remains in place today, despite the huge changes in the City over that period of time. When this At Large system was adopted in 1914, the city had a population of 181,500 that was concentrated in 24.5 square miles. Columbus is now over 787,000 residents in 225 square miles. Despite those changes, we retain this archaic structure of 7 members elected At Large on Council.

Over the decades, studied efforts of reform have been undertaken to better match city governance with our growing community and the evolution of good governance concepts in America, but these efforts have been defeated. In 1958, when the City had an area of 86 square miles and a population of 475,000, the *Report of the Charter Revision Committee to the Council of the City of Columbus* said, “the present charter is 44 years old. It is no longer in tune with the times.” The Committee thus recommended adding two members to City Council, to move from 7 to 9 members, but Council did not move it to the ballot. In 1968, the Democratic City Council and Mayor Sensenbrenner attempted to update Council, this time by sponsoring a 13 member council with 7 district and 6 at large seats, which ultimately failed at the ballot. In 1975, Councilmember John Rosemond, who was running for Mayor at the same time, sponsored an eleven member Council reform with six seats from Districts and 5 seats At Large, which was defeated by voters. In 1993, there was another effort by a Charter Review Committee to revamp City Council, which included recommendation to study enlarging and/or moving to a District-based Council, which was rebuffed by the City Council and never placed before the voters.

These rejections of a District-based City Council leave Columbus in a small minority among American big cities. The average council of the largest 50 cities is comprised of 13 members: with 2 members elected At Large, and 11 members elected from Ward/Districts. More specifically, the cities Columbus most frequently compares itself to, have the following Council structures:

- Indianapolis has 29 members: 4 members At Large, and 25 from Districts;
- Charlotte has 11 members: 4 members At Large, and 7 from Districts;
- Boston has 11 members: 4 members At Large and 7 from Districts;
- San Francisco has 11 members, all 11 from Districts;
- Portland has 11 members: 4 members At Large, and 7 from Districts;
- Fort Worth has 7 members, all 7 from Districts.
- Austin has 7 members: all 7 At Large. However, the City -- led by its Mayor -- is currently promoting charter change proposals to increase to either 9 or 11 members, with either 6 or 8 Districts respectively.

Clearly, the Columbus City Council, with 7 members elected at large and no member elected from Districts, is an outdated, aristocratic anomaly. After 98 years with this system, it is clearly appropriate to re-examine the rationale for maintaining a system that was designed to centralize power and designed to dilute citizen participation in the affairs of local governance. Citizens of Columbus deserve a form of government that is responsive and accountable to its people.

<sup>4</sup> The Columbus Citizen. *Columbus Steps Forward*, May 6, 1914, p. 4.

## Will Petrik: why a modern city council would give people and neighborhoods a stronger voice at City Hall

**From:** Will Petrik [<mailto:will.petrik@gmail.com>]

**Sent:** Sunday, December 11, 2016 11:25 PM

**To:** Charter

**Subject:** why a modern city council would give people and neighborhoods a stronger voice at City Hall

Dear Columbus Charter Review Committee,

My name is Will Petrik, and I am a member of Yes We Can Columbus.

Columbus is a tale of two cities. One Columbus thrives with access to good jobs and opportunities. The other Columbus has one of the highest infant mortality rates in the country, while 1 out of 5 children are food insecure.

Columbus is the only city among the top 25 without district representation. That means each City Council member represents the entire city of Columbus - over 200 neighborhoods and nearly 850,000 residents. The system isn't set up to represent neighborhoods, and everyday people and communities aren't being heard.

I'm writing to share a number of articles that I found in my research about the strengths of council districts and hybrid council systems (a mix of council districts and at-large council members)

I found that a modern City Council system with a mix of council districts and at-large council members will give more everyday people and neighborhoods a stronger voice at City Hall. Here's how:

### The Impact

- **More accountability:** District council members will be more accountable for results in the neighborhoods they serve (<http://www.seattletimes.com/opinion/guest-what-seattle-city-council-district-elections-will-bring/>).
- **Better public services:** Neighborhood services will be stronger and more responsive.
- **Increased access to services:** Residents of Columbus would be able to call an office responsible for their neighborhood and responsive to specific neighborhood concerns – whether it's a broken streetlight, a dangerous pothole, a barrage of burglaries, or neighborhood violence (<http://www.sfgate.com/politics/article/Why-district-elections-3197988.php>).
- **A stronger voice for neighborhoods:** Neighborhood Area Commissions, civic associations and other neighborhood groups will be in a stronger position lift up the needs of their community and hold their representative accountable

([http://www.yeswecancolumbus.org/we can give every neighborhood a voice in columbus](http://www.yeswecancolumbus.org/we_can_give_every_neighborhood_a_voice_in_columbus)).

- **Increased diversity:** More communities will be at the table and directly represented. More creative ideas will emerge through a diverse group of new leaders.
- **Increased participation:** Voting by geographic locale lowers the barrier to run for office and encourages more people to launch campaigns  
(<http://www.seattletimes.com/seattle-news/politics/candidates-who-filed-to-run-in-key-area-races/>).

We need to come together to transform our political system to make sure our council members focus on families and neighborhoods rather than lobbyists and wealthy donors.

- Will

Will Petrik  
Organizer, Yes We Can Columbus

Columbus Resident  
350 East Tompkins, Unit B  
Columbus, OH 43202

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Will Petrik

I believe in: *people | community | social justice | love | the creative process*  
*What do you believe in?*

Cell: (614) 507-8941

## **Will Petrik: council district research from City of Seattle, Office of City Auditor**

**From:** Will Petrik [mailto:will.petrik@gmail.com]

**Sent:** Sunday, December 11, 2016 11:58 PM

**To:** Charter

**Subject:** council district research from City of Seattle, Office of City Auditor

Dear Columbus Charter Review Committee,

In my previous email, I referred to an op-ed in the Seattle Times (<http://www.seattletimes.com/opinion/guest-what-seattle-city-council-district-elections-will-bring/>).

The op-ed mentioned a study commissioned by Seattle regarding districting vs. at-large elections. I reached out to the office of City Council member Tim Burgess who sent me the attached document.

The document outlines research conducted by the City Of Seattle's Office of the City Auditor on six cities that elect some or all council members by district.

They contacted each city and asked them 16 questions that were developed by the interdepartmental team for district elections. They received written responses from five city council offices and one executive office (Austin City Manager's Office). They also obtained helpful information from the audit offices of two of the cities (i.e., Austin, Oakland).

Please review for a narrative summary of the key points they learned about these cities, followed by a table comparing the responses each city provided to the 16 questions.

- Will

Will Petrik  
Organizer, Yes We Can Columbus

Columbus Resident  
350 East Tompkins, Unit B  
Columbus, OH 43202

--

Will Petrik

I believe in: *people | community | social justice | love | the creative process*

*What do you believe in?*

Cell: (614) 507-8941



**Attachment: 2014.04.11 Council Districts Research Summary - final - City of Seattle - Office of City Auditor**



**City of Seattle**  
Office of City Auditor

**MEMORANDUM**

Date: April 8, 2014

To: Tim Burgess, City Council President

From: David G. Jones, Seattle City Auditor

RE: Research on How Similar Cities Operate Their District Election Systems

Seattle City Council President Burgess asked our office to conduct research on six cities that elect some or all councilmembers by district. The following table shows the cities we were asked to contact and some of their characteristics.

| City          | State | Population<br>(2010<br>Census) | Total<br>Council-<br>members | District<br>Council-<br>members | "At<br>Large"<br>Council-<br>members | Population<br>per District | Strong<br>Mayor<br>Form of<br>Govt |
|---------------|-------|--------------------------------|------------------------------|---------------------------------|--------------------------------------|----------------------------|------------------------------------|
| Austin        | TX    | 790,390                        | 10                           | 10                              | 0                                    | 79,039                     | NO                                 |
| Boston        | MA    | 617,594                        | 13                           | 9                               | 4                                    | 68,622                     | YES                                |
| Denver        | CO    | 600,158                        | 13                           | 11                              | 2                                    | 54,560                     | YES                                |
| Jacksonville  | FL    | 821,784                        | 19                           | 14                              | 5                                    | 58,699                     | YES                                |
| Oakland       | CA    | 390,724                        | 8                            | 7                               | 1                                    | 55,818                     | YES                                |
| San Francisco | CA    | 805,235                        | 11                           | 11                              | 0                                    | 73,203                     | YES                                |
| Seattle       | WA    | 608,660                        | 9                            | 7                               | 2                                    | 86,951                     | YES                                |

We contacted each city and asked them 16 questions that were developed by the interdepartmental team for district elections. We received written responses from five city council offices and one executive office (Austin City Manager's Office). We also obtained helpful information from the audit offices of two of the cities (i.e., Austin, Oakland).

Below is a narrative summary of the key points we learned about these cities, followed by a table comparing the responses each city provided to the 16 questions.

David G. Jones, City Auditor  
700 Fifth Avenue, Suite 2410  
P.O. Box 94729  
Seattle, Washington 98124-4729

(206) 233-1095  
davidg.jones@seattle.gov  
<http://www.seattle.gov/audit>

## Narrative Summary of Key Findings from the Six Cities We Contacted

1. **Budgets are not organized by district.** None of the cities we contacted organized their budgets by district.
2. **Demographics are tracked by district for redistricting purposes every 10 years.** Half of the cities track demographics specifically by district.
3. **Councilmembers have one office funded by city funds<sup>1</sup>.** In Boston, some councilmembers use campaign funds to maintain a district office in addition to their city-funded downtown office.
4. **Constituent Services.** For the most part each councilmember office handles its own constituent services. All six cities have either a 311 system or some other single point of contact for services. The City Council may want to consider whether it should procure a case management software system that can be used by all council offices.
5. **City council communications with constituents.** All the cities reported multiple communication methods including web pages, e-newsletters, direct mail, public hearings, and town hall meetings.
6. **At-large councilmember duties.** None of the cities have any official differentiation of duties between district and at-large councilmembers.
7. **Council president.** None of the cities require the council president to be from an at-large position.
8. **Voting restrictions.** Each city reported that the only limit on councilmember voting was compliance with the ethics code: councilmembers (and all employees) must not have a personal financial interest in any action taken. See links in table below for more information.
9. **Boards/Commissions representative of districts.** Four of the six cities do not require equal district representation for citizen-led boards or commissions.
10. **No executive functions or executive staff organized by district.** None of the cities reported any executive staff or functions divided by or specific to districts.
11. **Legislative staff directing executive staff.** Oakland and San Francisco explicitly prohibit this. Other cities reported informal influence of councilmembers or legislative staff on executive staff.
12. **Council Committees.** In all six cities, committees are structured by issue area, not geography.
13. **Legislative aides per councilmember.** Number of aides varied from 1 to 3 per councilmember. Most reported equal budgets to be spent at the discretion of the councilmember, which could result in variable staff sizes depending on salary and hours worked.
14. **Council Central Policy staff.** Four of the six cities have some form of central policy staff that works for the city council as a whole. None of the city councils with central policy staff assigns them by district. One of the city councils assigns by subject matter, one by committee, one through a central coordinator, and San Francisco (who contracts for the service for \$2 million a year) uses a formal motion of the board to request analysis. Compared to the current ratio of 17 central staff to 9 councilmembers in Seattle (1.88), the other cities have the following ratios: Boston – .85, Denver – .46, Jacksonville – .21, Austin – 0, Oakland – 0.
- 15-16. **Challenges and ideas for improvement.** Jacksonville commented on this question, saying there is an ongoing challenge of distributing resources equitably, taking need into account, vs. providing each district with equal funding. Austin and Denver mentioned that the redistricting process can be difficult.

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<sup>1</sup> One Oakland councilmember has an additional office using an “insignificant” amount of city funds.

## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                                                              | Austin, TX                                              | Boston, MA                                                                                                                                                                | Denver, CO                                                                                                                                                                                       | Jacksonville, FL                                                                                                                                                                                                                                                                               | Oakland, CA                                                                                                                                                                     | San Francisco, CA                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.</b> <b>Budget:</b> Is the proposed (capital and/or operating) organized according to election district?                                                | No.                                                     | No.                                                                                                                                                                       | No.                                                                                                                                                                                              | No. Capital projects are notated by district, but funds are not allocated based on districts.                                                                                                                                                                                                  | No.                                                                                                                                                                             | No.                                                                                                                                                                                                                                                                                     |
| <b>2.</b> <b>Demographics:</b> Are there any demographics that are tracked by election district?                                                             | No.<br>Some was done as part of creating the districts. | Yes.<br><a href="http://www.cityofboston.gov/images/documents/Redistricting_tcm3-10195.pdf">http://www.cityofboston.gov/images/documents/Redistricting_tcm3-10195.pdf</a> | Yes. By Denver Office of Information Technology<br><a href="http://www.denvergov.org/Portals/695/documents/COUNCIL_TOTS.pdf">http://www.denvergov.org/Portals/695/documents/COUNCIL_TOTS.pdf</a> | No, though the Planning and Development Department can roughly approximate districts using GIS and census data.<br><br><a href="http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak041955.pdf">http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak041955.pdf</a> | Yes.<br><a href="http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak041955.pdf">http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak041955.pdf</a> | No.<br>Councilmembers can request this type of analysis from the Office of Legislative Analysts, though the data does not exactly correspond to supervisorial district boundaries.<br><a href="http://www.sfbos.org/index.aspx?page=1224">http://www.sfbos.org/index.aspx?page=1224</a> |
| <b>3.</b> <b>District Offices:</b> Do any of the District Councilmembers have an additional office within their district?<br>If so, where are they typically | Not implemented yet.                                    | Some do, some don't.<br>Commercial space<br>Campaign funds, not city funds.                                                                                               | 4 district councilmembers have offices in downtown central council office.<br>7 district councilmembers have offices in their districts.                                                         | District offices are prohibited by ordinance.                                                                                                                                                                                                                                                  | As a general rule no. One councilmember (councilmember Desley Brooks) has an office in the district costing "so little it is insignificant. It's                                | No.                                                                                                                                                                                                                                                                                     |



## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                                                                                                                                                                                                                     | Austin, TX                                                                                                                               | Boston, MA                                                                                                                                                                                                            | Denver, CO                                                                                                                                                                                                                                                                                                                                                     | Jacksonville, FL                                                                                                                                                              | Oakland, CA                                                                                                                                                                                                                                                                                                                                                                                       | San Francisco, CA                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| located (rent commercial space or in city-funded facilities such as recreation or service centers?)<br>How are they funded?<br>Do Councilmembers have regularly scheduled "office hours"?<br>Is the office staffed with someone (e.g., an administrative staffer) during regular business hours to assist drop-ins? |                                                                                                                                          | Some do, some don't.<br>City Hall offices have admin staff during regular business hours.                                                                                                                             | 2 At large councilmembers have offices in downtown central council office.<br>Only one office per councilmember.<br>Trying to locate them in city facilities; otherwise it is leased commercial space.<br>Part of each member's annual budget (all city funding) is designated for rent.<br>Some have office hours.<br>Yes. Each member has at least one aide. |                                                                                                                                                                               | out of the generosity of someone in the district. It is not a market rate rent. But the money comes out of the district budget."<br>Varies by councilmember. At least one advertises regular office hours at 4 cafes in the district, once each month at each cafe. Another has monthly meetings at various locations in the community. Another holds posts regular office hours at their office. |                                                                                                            |
| <b>4. Constituent Services:</b> Who handles constituent services?<br>Does the City have a single customer service phone number for citizens to call?<br>Does the City Council have its own casework management software?                                                                                            | Handled by individual Council office.<br>City has 311 system.<br>Yes. City has casework management software shared among departments and | Generally the individual councilors' offices have designated staff that handles constituent services. Some offices have a point person for a given area of their district or a designated staff person depending upon | A lot of what the council members' aides do is this. However the work load on that has decreased since we got Denver 3-1-1.<br>Citywide Customer Service: 3-1-1; online, by mobile app, by phone.                                                                                                                                                              | Most calls go to administration's citizen help line, then move on to their councilmember when the administrative response is not to their satisfaction.<br>Jacksonville has a | Council aides handle constituent services.<br>Citywide Customer Service: 510-444-CITY; online, by phone, by email, by mobile app. Due to budget cuts the City no longer logs calls.                                                                                                                                                                                                               | Each Supervisor's office responds to constituents in its district.<br>3-1-1 Customer Service<br>No.<br>No. |

## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                                      | Austin, TX                                    | Boston, MA                                                                                                                                                                                                                                          | Denver, CO                                                                                                                                                                                                                         | Jacksonville, FL                                                                                                                                                                                                                                                                                                                                                                                                   | Oakland, CA                                                                                                               | San Francisco, CA                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Is it shared or integrated with any casework software used by the Executive departments?                                             | executive staff in the City Manager's Office. | topic.<br>Mayor's 24 Hour Constituent Services; online, by phone, mobile app, mobile city services truck, twitter, in person (City Hall).<br>No. Mayor's Office maintains a central tracking system when executive departments are involved.<br>No. | This is handled by the Call Center, under Technology Services.<br>No. They each have their own systems for tracking the constituent cases.<br>No, they each have their own, but they can log into the 3-1-1 data to monitor cases. | centralized call center (904-630-city) that answers citizen calls and refers them to the proper department for tracking and action. Citizens can also use the city website.<br>No. All issues of this type are integrated into one system for tracking purposes. Council Staff has access to log issue into the system for Administrative support to address the problem. Council does not have a separate system. | No, council does not have its own case management software.                                                               |                                                                    |
| 5. <b>Constituent Communications:</b> How are key projects or proposed city laws communicated to citizens in each election district? | Not implemented yet.                          | The executive departments notify the councilors' offices when proposing development activities in their districts. Also, all Council meetings and hearings are publicly noticed and recorded. Individual council offices                            | Multiple methods. Most of them have a monthly E-newsletter, some distribute hard copy newsletters. Most of them use all kinds of social media.                                                                                     | Multiple methods: citywide press release, direct mail to residents within 350 feet of a project, town meetings, public hearings, newspaper ads, meetings are on line & streamed, and communications to                                                                                                                                                                                                             | Multiple methods. Email distribution, social media, community meetings, electronic newsletters, neighborhood groups, etc. | Each supervisor has a webpage on the Board of Supervisors website. |

## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                                                                                                                                                                                                                                                    | Austin, TX                                                                                                                                                                                                                                                                                                                                                                              | Boston, MA                                                                                                                                                                                                                                                          | Denver, CO                                                                                                                                                                                                                                                                             | Jacksonville, FL                                                                                                                                                                                                                            | Oakland, CA                                                                                                                                                                                                                                                                                                      | San Francisco, CA                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>6. At Large Duties:</b> Do the At Large Councilmembers have different duties from the District Councilmembers, such as intergovernmental relations?                                                                                                                                                                                             | Not implemented yet.                                                                                                                                                                                                                                                                                                                                                                    | No.                                                                                                                                                                                                                                                                 | No, though the At-large members do tend to be the ones who represent Council on boards/commissions beyond the local level.                                                                                                                                                             | No.                                                                                                                                                                                                                                         | No.                                                                                                                                                                                                                                                                                                              | N/A; no at-large councilmembers.                                                                                                                                                         |
| <b>7. Council President:</b> Must the Council President be from an At Large position?                                                                                                                                                                                                                                                              | N/A. The Mayor is elected at large and is a member of the City Council. Austin has a City Manager form of government.                                                                                                                                                                                                                                                                   | No.                                                                                                                                                                                                                                                                 | No.                                                                                                                                                                                                                                                                                    | No.                                                                                                                                                                                                                                         | No.                                                                                                                                                                                                                                                                                                              | N/A; no council president.                                                                                                                                                               |
| <b>8. Voting for their Districts:</b> Is there an ethics code and/or law that limit District Councilmembers from voting on matters in which they have a financial interest?<br><br>If so, how does the law deal with matters that affect the elected official and his/her constituents, such as a major new development proposed for the district? | Yes. Applies to all councilmembers.<br><br>Austin City Code, Chapter 2-7-63 Prohibition on Conflict of Interest.<br><br><a href="http://www.amlegal.com/nxt/gateway.dll/Texas/ausintexas?f=templates\$fn=default.htm\$3.0\$vid=amle&amp;al=austin_tx\$anc">http://www.amlegal.com/nxt/gateway.dll/Texas/ausintexas?f=templates\$fn=default.htm\$3.0\$vid=amle&amp;al=austin_tx\$anc</a> | Yes. Applies to all councilmembers.<br><br>Massachusetts State Ethics Law, 268A:19<br><br><a href="http://www.mass.gov/ethics/laws-and-regulations/conflict-of-interest-law.html">http://www.mass.gov/ethics/laws-and-regulations/conflict-of-interest-law.html</a> | Yes. Applies to all councilmembers.<br><br>Denver Code of Ethics, Sec. 2-61. Conflict of interest while employed.<br><br><a href="http://www.denvergov.org/Portals/5/documents/CODE-2012Changes-FINAL.pdf">http://www.denvergov.org/Portals/5/documents/CODE-2012Changes-FINAL.pdf</a> | Yes. Applies to all councilmembers.<br><br>Rules of the Council, 4 602<br><br><a href="http://www.coj.net/city-council/docs/councilrules/rules-of-council.aspx">http://www.coj.net/city-council/docs/councilrules/rules-of-council.aspx</a> | Yes. There is a conflict of interest policy.<br><br>Public ethics site:<br><a href="http://www2.oaklandnet.com/Government/o/CityAdministration/d/PublicEthics/o/CityStaffandOfficials/index.htm">http://www2.oaklandnet.com/Government/o/CityAdministration/d/PublicEthics/o/CityStaffandOfficials/index.htm</a> | Yes.<br>California Political Reform Act; Section 87105:<br>Manner of Disqualification<br><br><a href="http://www.fppc.ca.gov/index.php?id=51">http://www.fppc.ca.gov/index.php?id=51</a> |
| <b>9. Boards and Commissions:</b> Are any citizen boards or                                                                                                                                                                                                                                                                                        | Not yet implemented.                                                                                                                                                                                                                                                                                                                                                                    | No.                                                                                                                                                                                                                                                                 | No.                                                                                                                                                                                                                                                                                    | Only one: the council on elder affairs                                                                                                                                                                                                      | No. As a practical matter, councilmembers are                                                                                                                                                                                                                                                                    | Yes, there are some but it is not typical.                                                                                                                                               |

## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                                                                                                                                                                            | Austin, TX                                                              | Boston, MA                                                                                                                                                                           | Denver, CO                                                                                                                                                                                                                                                                                                                          | Jacksonville, FL                                                   | Oakland, CA                                                                                                                                                                                                                                                                                      | San Francisco, CA                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| commissions required to have residents from each election district?<br><br>Are there special citizen-led commissions or councils that advise the city government or Councilmembers on district-based issues or recommendations on how to allocate resources?               |                                                                         | There are neighborhood groups that advise the Boston Redevelopment Authority on development and zoning issues in their respective neighborhoods.                                     | Not specific to council districts, although there are several committees/task forces/etc. established to advise the city government on various issues/activities. There are also Registered Neighborhood Organizations (Ron's), some more active than others, and Council members use those groups as sounding boards about issues. | Otherwise there are no council district-specific advisory bodies.  | permitted to appoint members and usually appoint members from their districts.<br><br>No.<br><br><a href="http://www2.oaklandnet.com/Government/0/Mayor/OurPartners/BoardsandCommissions/index.htm">http://www2.oaklandnet.com/Government/0/Mayor/OurPartners/BoardsandCommissions/index.htm</a> | No.                                                                   |
| <b>10. Executive Functions:</b> Are any executive department or other functions divided geographically to match the election districts?<br><br>Do any of the executive departments have staff dedicated to resolving problems according to each of the election districts? | Not yet implemented.                                                    | No. The Department of Neighborhood Services facilitates citizen input and participation through service requests, neighborhood meetings organized through neighborhood coordinators. | No.<br><br>No.                                                                                                                                                                                                                                                                                                                      | No.<br><br>No.                                                     | No.<br><br>No.                                                                                                                                                                                                                                                                                   | No.<br><br>Unknown.                                                   |
| <b>11. Legislative Staff Directing Executive Staff:</b> Is there a process by which Councilmembers and/or                                                                                                                                                                  | No. Legislative staff, or rather Council staff, cannot direct Executive | No. The Administration (Mayor's Office) maintains a central tracking system                                                                                                          | No. Nothing official beyond the annual budget process and consultations                                                                                                                                                                                                                                                             | No. Informally, councilmembers or their staff may call the mayor's | No. The administration is working on how to create a clearer process for                                                                                                                                                                                                                         | No. Refer to Good Government Guide, Part I, Section VIII, pages 25ff. |



## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                                                                                  | Austin, TX                                                                                                                                   | Boston, MA                                                                                                                                                                                                                                                                                                                                                            | Denver, CO                                                                                                                                       | Jacksonville, FL                                                                                                                                                              | Oakland, CA                                                                                                                                                                                                                                                                                                                                            | San Francisco, CA                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| their staffs can request executive department employees to work on resolving neighborhood-based problems?                                                                        | staff to do anything. Council can direct the City Manager to take action, but only by resolution.                                            | when contacted by an individual councilor's office and executive departments are involved. The individual councilor's office will work with the relevant executive department regarding the matter. Also, under the Boston City Charter, Section 17F, the City Council may request specific information from the mayor on a municipal matter within its jurisdiction. | on annual work plans. Members can and do appeal to the Mayor to address certain district issues, and sometimes that will result in actions.      | office or administrative department to report a problem, and may convene meetings with administrative personnel and citizens.                                                 | councilmembers and administrative staff to work together on district projects.<br><br>The Oakland Charter, section 812, prohibits councilmembers from giving orders to "any subordinate of the City under the jurisdiction of the City Administrator...nor shall they attempt to coerce or influence the City Administrator or such other officers..." | <a href="http://www.sfcityattorney.org/Modules/ShowDocument.aspx?documentid=686">http://www.sfcityattorney.org/Modules/ShowDocument.aspx?documentid=686</a> . |
| <b>12.</b> Council Committees: Are any City Council Committees structured in a way to reflect the geographic election districts and/or to address issues geographically?         | Not implemented yet.                                                                                                                         | No. The standing committees of the City Council are not structured in a way to reflect the geographic election districts.                                                                                                                                                                                                                                             | No. Committees based on city departments, functions, issues, etc.                                                                                | No response. Not apparent from web site <a href="http://www.coj.net/city-council/docs/committee-rosters.aspx">http://www.coj.net/city-council/docs/committee-rosters.aspx</a> | No. Committees are typically 3-4 councilmembers, all from different districts.                                                                                                                                                                                                                                                                         | No. Council committees are typically 3-4 councilmembers, and they come from different election districts.                                                     |
| <b>13.</b> Legislative Staff: In your current budget year, how many paid Legislative Aides does each Councilmember have or what is the personnel budget for each Council office? | 3. Each Council office has two council aides that focus on policy issues, and one constituent services liaison. Each office budget is equal. | The number of legislative aides for each councilor's office depends upon the discretion of the individual councilor's office. Each councilor's office receives                                                                                                                                                                                                        | 1-2. The Council district budgets are equal and it is up to each member how that budget is allocated. Most of the members currently have 2 aides | 1. Each councilmember is allowed one staff assistant up to a maximum budget that is the same for every office.                                                                | The budget indicates each council office gets funded for 2.12 staff positions. Some have several part time employees, some only full time employees.                                                                                                                                                                                                   | 3. Each Supervisor has three Legislative Assistants (Aides).<br><br>N/A.                                                                                      |



## Research on How Similar Cities Operate Their District Election Systems Summary Table

|                                                                                                                                                                                                                                                                                                                                                                                            | Austin, TX                                                                                                                                                                                                                                                                                                                                                                         | Boston, MA                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Denver, CO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Jacksonville, FL | Oakland, CA | San Francisco, CA                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Do the district and at-large members have different numbers of aides or different personnel budget amounts?                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                    | \$206,250 dollars per year and the president's office receives \$247,500 dollars per year to pay such salaries according to the rules of the City Council.                                                                                                                                                                                                                                                                                                                   | although a couple only have 1 fulltime aide.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>14. Central Policy Staff:</b> Does the City Council have a separate "central" policy staff that works for the Council as a whole?</p> <p>If so, what is their personnel budget and how many paid positions do they have?</p> <p>How is their work allocated?</p> <p>Does each election district have a central staff member assigned to it in order to track issues by district?</p> | <p>No.</p> <p>Yes. The policy is driven by an individual councilor. Central staff works with that councilor and staff on the matter.</p> <p>The total annual salary for central staff collectively is \$818,002.00. There are 11 employees on Central Staff.</p> <p>The work is allocated by subject matter, committee assignments or according to a project basis.</p> <p>No.</p> | <p>Yes, Legislative Services has 3 Legislative Analysts, a Director, the Council Secretary, and receptionist/secretary/general helpmate.</p> <p>Six paid staff positions.</p> <p>Work allocated mainly by committee assignment. There are 6 standing committees and 2 "Special Issue Committees.</p> <p>No. work is divided among the Analysts by Committee assignment. Generally, the division of labor is that the Legislative Services staff does policy work and the</p> | <p>Yes.</p> <p><a href="http://www.col.net/city-council/docs/orgchart.aspx">http://www.col.net/city-council/docs/orgchart.aspx</a></p> <p><a href="http://www.col.net/city-council/staff--contact-information.aspx">http://www.col.net/city-council/staff--contact-information.aspx</a></p> <p>This organization chart shows a chief of research and 3 research assistants reporting to the Director/Council Secretary.</p> <p>Centralized budgeting is used for all council expenses which is the responsibility of the Director/Council Secretary.</p> | No.              |             | <p>No. The Board of Supervisors Budget &amp; Legislative Analyst provides independent fiscal &amp; policy analyses, special studies and management audit reports on City departments and programs to the Board of Supervisors.</p> <p>The Board contracts for the services. Contract for FY 13-14: \$2 million.</p> <p>The Budget Analyst's responsibilities are defined as follows: <a href="http://www.sfbos.org/ind ex.aspx?page=3703">http://www.sfbos.org/ind ex.aspx?page=3703</a>.</p> |

## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|     |                                                                                                                                                                                                                                                                                                     | Austin, TX           | Boston, MA                                                                                                                                                                                                                                                                                                                   | Denver, CO                                                                                                                                                                                                                                                                                                                         | Jacksonville, FL                                                                                                                                                                                                                                                                                                                                                                            | Oakland, CA  | San Francisco, CA                                                                                                                                                                        |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15. | <p><b>Challenges:</b> Are there any challenges that your city experiences as a result of the district structure, such as allocating resources in an equitable manner and/or addressing citywide priorities?</p> <p>If so, have there been discussions or plans for how to address these issues?</p> | Not implemented yet. | <p>The district and at-large structure provides representation for all neighborhoods in the city.</p> <p>The City Council has formed a Special Committee on Charter Reform to examine the current governance structure in the City. Note this committee was not created in response to concerns about council districts.</p> | <p>district aides do constituent services work.</p> <p>Not really. It seems to work well. We have two At-Large positions that bring a city-wide view to the debates, and all areas of the city have a direct representative. Very democratic.</p> <p>The hardest issue is when we have to redistrict following each US Census!</p> | <p>No, each district does not have a central staff member assigned to it to track issues by district.</p> <p>The fundamental challenge is competition for limited resources among districts when district conditions and needs vary widely. There is continual debate over the proper way to allocate resources—by equal, fixed amounts per district or according to demonstrable need.</p> | No response. | No response.                                                                                                                                                                             |
| 16. | <p><b>Advice for Seattle:</b> For how long has your city had geographic election districts for its city councilmembers?</p> <p>If it converted from at-large to districts within the past decade or so, is there a consensus in the city about</p>                                                  | Not implemented yet. | <p>The City of Boston has operated with the nine district councilors and four at-large members since 1982.</p>                                                                                                                                                                                                               | <p>Denver has had districts since before mid-20<sup>th</sup> Century. Following the 1970 Census, we added 2 to bring the total number of districts to its current 11. In Denver, there is no discussion about getting</p>                                                                                                          | No response.                                                                                                                                                                                                                                                                                                                                                                                | No response. | <p>In 1977, San Francisco went from at-large to district elections. In 1980, the voters amended the Charter to go back to at-large elections in November 1980. In November 1996, the</p> |

## Research on How Similar Cities Operate Their District Election Systems

### Summary Table

|                                                                                                                     | Austin, TX | Boston, MA | Denver, CO                                                                                                                                                                              | Jacksonville, FL | Oakland, CA | San Francisco, CA                                                                                    |
|---------------------------------------------------------------------------------------------------------------------|------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------|------------------------------------------------------------------------------------------------------|
| <p>what it should have done differently when it converted?</p> <p>What recommendations do you have for Seattle?</p> |            |            | <p>rid of the districts, but some people would like to do away with one or both of the At-Large positions. I disagree with that — we need the citywide perspective on Council, too.</p> |                  |             | <p>voters approved a Charter amendment calling for district elections starting in November 2000.</p> |

## **Will Petrik: research comparing campaign spending for 19 major cities with at-large, districts**

**From:** Will Petrik [<mailto:will.petrik@gmail.com>]

**Sent:** Monday, December 12, 2016 12:14 AM

**To:** Charter

**Subject:** research comparing campaign spending for 19 major cities with at-large, districts

Dear Columbus Charter Review Committee,

This is my last email for the evening. I attached an academic study that I think you will all find of interest to the conversation about modernizing our city council system.

This master's thesis from the University of Washington looks at 19 major cities (including Columbus) and compares campaign spending for cities with at-large, district, or mixed representation.

While campaign spending has gone up in elections everywhere since the Citizens United decision from the Supreme Court, the study found that at-large candidates spend \$76,000 more than district candidates.

The cities studied were Albuquerque, Austin, Baltimore, Boston, Charlotte, Columbus, Denver, Detroit, El Paso, Fort Worth, Indianapolis, Jacksonville, Las Vegas, Louisville, Portland, San Francisco, San Jose, Seattle, and Washington, DC.

In an all at-large system, candidates have to raise enough money to reach an entire city. In a council district system, they only have to raise enough to reach that ward. It follows that campaign spending would be less overall in a ward system than an all at-large system.

According to the research, many cities that had an at-large system have been changing to a ward or mixed system. The research also found that switching to a ward system increased the amount of minority representation.

Thank you all for your service and for carefully considering all of this research.

- Will

--

Will Petrik

I believe in: *people | community | social justice | love | the creative process*

*What do you believe in?*

Cell: (614) 507-8941

**Attachment: Malinowski-Capstone**

<https://www.uwb.edu/getattachment/policystudies/why-policy-studies/student-work/malinowski-capstone.pdf>

## **Lou Jannazo: Comments on Number & Nature of City Council Reps**

From: Ann Laubach and Lou Jannazo [<mailto:Jannazo@att.net>]

Sent: Monday, December 12, 2016 9:28 PM

To: Charter

Subject: Comments on Number & Nature of City Council Reps

December 12, 2016

Dear Friends,

First, a complaint. An article in today's Dispatch said there was disappointment with the turnout at meetings held to get comments on the expansion of Council to include wards. My wife and I read the Dispatch daily as well as the Booster. We also have good friends that work for the City and are on area councils. The first we have heard of anyone from the City was seeking comments was in today's paper. The e-mail address for comments was found on page B, 3. I don't know what the City is doing for outreach but I would posit it was darned little. Learning that there is an e-mail address from page B, 3 is not exactly skywriting it at an OSU football game.

Some comments:

- The current system is so inbred that it is borderline corrupt. Everybody who runs for Council is an incumbent because they are appointed by the rest of the Council before they ever face the voters. As anyone knows, inbreeding leads to a paucity of new thinking at best, and idiocy at worst.
- The current system is not representative. There are hardly ever any Republicans on council because the city-wide nature of the voting makes it hard for the minority to get enough votes to get represented. I am a long time Democrat and I think the City system stinks just as bad as the State gerrymandering system that gives Republicans such overwhelming majorities in the Ohio House and Senate. This is another facet of how the current Council system is inbred, with the inherent dangers inbreeding engenders.
- The current system is bad for democracy because it raises the bar for people getting into local politics. It is virtually impossible for new blood to gain access to a council seat by going out and hitting the pavement to go door to door. Too many doors involved. The only way for new folks to break into City government is by being taken in by the local power brokers as one of their own which of course puts a huge wet blanket on innovative folks with new ideas. The "powers that be" tend to bring clones into the system, not folks that have a different point of view.
- A robust ward system would not undermine area councils. Rather, area councils would be the breeding ground for new Council Reps. With the city-wide system area commission people have huge odds stacked against them ever getting into Council. A ward system would change that.

- In a city-wide system of picking Council people even generally well informed people tend to have no idea who the folks on City Council are because there is no direct connection to them.
- In a city-wide system the citizenry has no elected official to call with local issues. The city-wide Council representatives don't have to care about the little old lady's issue with garbage collection because they don't need her vote.
- I would like to see a mix of at-large Council reps and Council reps that are tied to particular districts **with the majority being Council reps that are tied to districts**. Yes, it would be harder to pass legislation but who said that democracy was supposed to be easy. We have 435 US Congressmen and 100 US Senators and we have 99 State Representatives and 33 State Senators but there are no movements to cut down on those numbers. Seven is too few for Columbus.
- Wards should be drawn up to include entire area commissions within their boundaries. NO GERRYMANDERING LIKE THE STATE DOES WITH ITS REPS AND SENATORS.

Some requests:

- Please send me the information that the committee looking at these issues is using as a basis for starting conversations with the electorate.
- Please send me the names of the people on the committee.
- Please send me any contact addresses the people on the committee are using to get public comments if there are such addresses beyond the <charter@columbus.gov> address.

Thanks for listening and for answering my requests.

Regards,

Lou Jannazo

4302 Ingham Avenue

614-263-6343

## **Timothy Bibler: Charter Committee**

From: Timothy Bibler [<mailto:northill@sbcglobal.net>]

Sent: Monday, December 12, 2016 8:00 AM

To: Charter

Subject: Charter Committee

First, if it's not broke don't fix it.

Regarding changes from at-large to a ward system, it is clear from the vote last summer that people across the city do not want a ward system.

My main concern about a ward system is that decisions will be made from the perspective of what project can get done in a ward so the ward representative can get reelected, instead of making a decision that is best for the city.

I do not believe expanding the number people on city Council will improve the system. Adding more people only makes it more difficult for voters to hold individual council members responsible.

A decision to make a change in the city council make up should not be made based upon what is being done in other cities. Just because someone else is doing something doesn't make it good. If there is research that demonstrates that the ward system is better then let's see the research. Absent any such research would be making a decision based upon nothing but guesswork.

The position of city Council representative should be a full-time position. This allows representatives to give their full attention to the needs of the city.

Tim Bibler  
772 S. 5th St.  
614-361-6385



## Susan Emerson: Concerns

**From:** Susan Emerson [<mailto:emerson.susan.k@gmail.com>]

**Sent:** Monday, December 12, 2016 10:10 AM

**To:** Charter

**Subject:** Concerns

I live north of I-270 and just East of Route 23, in the City of Columbus but in the area served by Worthington City Schools. Overall I have been happy with city services and with the governance of the city. However, I am writing in response to today's Columbus Dispatch article, "Do Columbus residents care how City Council members are elected?"

I honestly don't feel that I know enough to know whether a ward system would be an improvement, but I do want to go on record citing my concerns. Like, apparently, many who have voiced opinions already, my very biggest concern is that the current system makes it impossible for someone outside the sphere of influence of current council members to get onto council. Thirteen years without representation from one of the two major parties is absurd. And while I understand a couple of council members were recently elected without being appointed first, one of them was such a well-established politician in our area that I'm not sure his election is really indicative of change.

We must find a way to break the current cycle of council members resigning and the existing council selecting someone to replace them. I understand that elections are expensive so I understand that special elections aren't a good option, but there has to be a better way!

I will also comment that I do not believe our council has shown much concern for the flavor and culture of our current neighborhoods. The Short North is already a pale shadow of the thriving arts district it once was and is on its way to becoming just another bland upscale urban area. Clintonville has long been a treasure of Columbus, but increasingly dense development keeps getting approved there over the objections of the neighborhood. I dread seeing what happens to the strong sense of community that has existed there for so long as these new projects come to fruition.

Just to be clear, I am not opposed to development and I fully understand that the future calls for increased density in housing. I think, for example, that the redevelopment that is occurring around Nationwide Children's Hospital is a lovely thing. I applaud the redevelopment efforts that are improving Franklinton. I have family roots in the Hilltop area and I would love to see even more redevelopment there. But I do think that where there are established neighborhoods that are relatively thriving, more respect should be shown to the wishes of those who live there.

Finally, I have heard it said that a ward system would make it more difficult to get minority representation on Council. That would be a terrible outcome, but I believe that is only the case if wards are drawn with intentional ill intent. Otherwise, I think this city is sufficiently diverse

and sufficiently valuing of diversity that we would continue to elect many dedicated and strongly qualified minority representatives to leadership positions, as we do today.

Thanks for the opportunity to voice my concerns, and Godspeed as you work through the process of formulating a recommendation.

Sincerely,  
Susan Emerson  
248 Pampas Court,  
Columbus, OH 43235

## Sue Keller: Charter Review Public Comment

Data from form "Public Comment" was received on 12/12/2016 10:30:46 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Sue Keller                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Email address | <a href="mailto:skeller792@insight.rr.com">skeller792@insight.rr.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Subject       | Charter Review Public Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Message       | <p>I found this contact in the Dispatch this morning. I live on the very southeast side of Columbus. it would be impossible for me to get to sawmill rd at 6:00 pm on a work night. I looked at the calendar on this site because I wanted to see what meetings i must have missed in my own SE area. Nothing listed and it also says no meeting for this month. I again feel unrepresented and I want Hardin to know that it not easy for a regular citizen to stay informed or let a representative know that there are concerns here.</p> <p>I've seen the rise and fall of Eastland, and the rise and fall of Brice and 70 area. Been to city counsel several times to protest inappropriate high density and low end developments in this area. The old SE area commission also said no, but at that time Counsel voted it all through just as the developer wanted. No one cared. I don't know the number, but come and drive up and down Gender Rd and tell me where are the single family homes? I only see new apartments going up. Where is the Mixed Development? We are only getting the low end. I gave up for a while but I will get to the the next area commission meeting and express my opinion and ask for help. But they don't get to vote! Who on city counsel cares about what's best for the entire SE area?</p> |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [skeller792@insight.rr.com](mailto:skeller792@insight.rr.com) on 12/12/2016 10:30:46 AM.

## Joseph Sommer: At-large elections and representation of racial minorities

**From:** JCSommer@aol.com [mailto:JCSommer@aol.com]

**Sent:** Monday, December 12, 2016 2:23 PM

**To:** Charter

**Cc:** tokaji.1@osu.edu; mcurtin2323@yahoo.com; Cox, Joshua T.

**Subject:** At-large elections and representation of racial minorities

Charter Review Committee:

I recently wrote to you about Professor Daniel Tokaji's Nov. 17 presentation that addressed the Committee's request for information about possible federal challenges to redistricting plans. My message at several points referenced his 2013 book *Election Law in a Nutshell*. The book also has information on another subject that should be considered by the Committee: the tendency of at-large elections to dilute the voting strength of minorities, particularly African Americans. Perhaps you may want to have Professor Tokaji or another expert address that subject in the future.

### At-large elections have often weakened the voting strength of minorities

Chapter 6 of Professor Tokaji's book is titled "Minority Representation" It begins on page 93 by explaining that the Voting Rights Act of 1965 "ended the system of mass disenfranchisement that had kept southern blacks from registering and voting." The discriminatory voting system, which had been in place since the end of the nineteenth century, included literacy tests, poll taxes, and other methods of preventing blacks from voting.

Professor Tokaji continues on page 96: "Once African Americans were allowed to vote in the South, attention turned to other practices that were used to diminish the strength of their votes - that is, to vote dilution.

*Prominent among the devices used to weaken black voting strength were at-large elections."*

(Emphasis added.) He gives an example of Mississippi changing its state law in 1966 to allow county boards of supervisors to be elected at large instead by districts. He says the result was "to keep blacks from electing a representative of their choice to county boards."

Those types of discriminatory efforts caused many at-large systems to be found unlawful. The website of the NAACP Legal Defense and Educational Fund states: "Since the passage of the Voting Rights Act in 1965, numerous at-large systems have been struck down. . . ." It also says: "Fewer and fewer districts still practice at-large voting. That is because courts and other decision-makers long have recognized that discriminatory methods of election, like at-large voting, enhance the discrimination that communities of color experience. . . ."

Beginning on page 118, Professor Tokaji's book explains that the 1982 amendments to Section 2 of the Voting Rights Act clarified that both intentional discrimination and discriminatory results are prohibited. This made the law an even stronger weapon for striking down at-large election systems.

Professor Tokaji expounds on pages 112-113: "After 1982 . . . Section 2 became a potent means of stopping practices used to dilute the votes of racial minorities - most notably, at-large elections. . . ." On page 136, he says the changes included "the abolition of many at-large election systems and the creation of majority-minority districts from which racial minorities could elect their candidates of choice." Page 137 reports: "The end result . . . was a pronounced increase in minority representation after 1990," including at the local levels.

The U.S. Department of Justice's website states: "Most of the cases arising under Section 2 since its enactment involved challenges to at-large election schemes." The website also reveals that the cases were not just in the South but also in other areas of the country.

In sum, U.S. history shows that at-large voting systems have often been used with the intent or result of weakening the voting strength of racial minorities. The legal remedy has often been to replace those discriminatory systems with district elections.

Based on this history, it seems incumbent on the Committee to consider the effects that Columbus' all at-large City Council elections have had on minorities, particularly racial minorities. In the following sections, I point out some of the factors I think are relevant to the Committee's consideration.

### **Columbus City Council elections and minority representation in the city's history**

The first African American elected to Columbus City Council was Rev. James Preston Poindexter in 1880, when Columbus had a ward system. Rev. Poindexter was elected from the 2nd Ward.

In jarring contrast, as State Representative Michael Curtin explained in his Oct. 13 presentation to the Committee, no black was elected to City Council for 55 years after Columbus adopted its all at-large, seven-member City Council in 1914.

Rep. Curtin also said that in 1968 Columbus City Council, which was controlled by Democrats 5-2, placed on the ballot a proposed Charter Amendment to change City Council's structure to 13 members, with seven elected from districts and six elected at large. Democratic Mayor M.E. "Jack" Sensenbrenner supported the effort. A Jan. 12, 1968 Columbus Dispatch article reported: "One of the aims of the proposal will be to provide representation to the Negro minority which now has no voice on the City Council." At that time of the Civil Rights Movement, blacks were an important part of Columbus' Democratic coalition, as Rep. Curtin related.

After voters defeated the 1968 proposal 57% to 43%, Democratic City Council Member Jerry O'Shaughnessy said part of the opposition may have been due to "a certain amount of white backlash . . . a fear of some whites that Negroes would be on council." (Dispatch, May 8, 1968)

The first black elected to the seven-member, all at-large City Council was Dr. John Rosemond in 1969. When Council Member Rosemond became the Democratic Party's candidate for mayor in 1975, he led an effort to change the Charter to provide for an 11-member City Council, with six members elected from districts and five elected at large. The five Democrats on City Council voted to place the proposal on the Nov. 1975 ballot, with the two Republican members voting no. The proposal lost at the polls by about 60% to 40%, and Dr. Rosemond was soundly defeated in the mayoral race in the same election.

Rep. Curtin noted that in both the 1968 and 1975 elections, the wards supporting the addition of district representation to City Council were concentrated in black areas and the OSU area. He also said "there was a strong racial divide in the city in both elections."

This history indicates the present at-large election system caused blacks to be kept off Columbus City Council for over five decades. During the Civil Rights Movement in the 1960s and into the mid-1970s, white and black leaders in the local Democratic Party, along with a substantial percentage of black voters, thought the solution was to add district representation to City Council. But they were rebuffed by a majority of the city's white voters.

### **Minority representation on Columbus City Council in recent years**

Currently four of the seven Columbus City Council members are African American. However, all of them were initially appointed to Council rather than selected by the voters. For several decades now, that has been the usual way for persons to get on Council, whether or not they are members of a minority community. My understanding is that Dr. Rosemond remains the only black Democrat who was elected to Council without first being appointed, even though the present system is now over 100 years old.

Additionally, the Council members normally run for office as a team and with substantial funding from the Council president's PAC. When Council decides whether to appoint a minority applicant to an open seat, therefore, it would be logical for them to consider - either consciously or subconsciously - whether the applicant is someone the big-money donors to the PAC could support. The majority of those big-money donors are likely white.

If that is in fact how the appointment process works - and it's reasonable to assume it probably does work that way - the only racial minorities who could get on Council would be, frankly, ones acceptable to some extremely rich and influential white people in central Ohio. The preferences of those elites could differ markedly from the needs of many others in the city, including economically disadvantaged minorities. The former would likely be supportive of candidates favoring the status quo, whereas the latter would be more receptive to candidates advocating reform.

This appointment process is likely why complaints have been made that the African Americans appointed to City Council have lacked a base of support in the black community and been unresponsive to a number of concerns of that community. Moreover, three of the four latest minority appointees have been city employees. They might feel more pressure to protect their careers in the city government than fight for the interests of disadvantaged segments of the population.

Finally, in response to a question after Professor Tokaji's presentation, he said the current process of appointing, instead of electing, minorities to City Council could be one of a number of factors a court would consider in deciding whether Columbus' at-large election system violates the Voting Rights Act. Section 2 of the Act says a violation occurs if, based on the "totality of circumstances," the challenged voting practice leaves racial minorities with "less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice."

### **Summary and Conclusion**

Historically in the U.S., at-large elections have often been used with the intent or effect of weakening the voting strength of racial minorities. The results of Columbus' first five decades under the current Charter show that the at-large method of electing Council members effectively excluded blacks from election to Council throughout the period. During the Civil Rights Movement of the 1960s and several years after that, attempts were made to remedy the problem by trying to add district representation to Council. Those efforts were turned back by a white majority of voters in two racially divided elections in 1968 and 1975.

In recent decades, blacks have served on Council but almost always were initially appointed to the office instead of elected. The need to fund their expensive citywide political campaigns may necessitate that they be acceptable to a wealthy, mainly white, donor class in order to be selected for Council. After appointment, they run for the office with the advantages of incumbency and funding from the donor class. Neither of those advantages is possessed by other members of racial minorities interested in running for City Council, regardless of how much support they may have in minority communities. This process could mean minorities have less opportunity to "elect representatives of their choice." Some argue the process violates Section 2 of the Voting Rights Act.

The possibility of a Section 2 challenge to Columbus' at-large election system, and the resulting legal expenses to taxpayers, should be considered. Even if such a challenge is not brought, there remain serious questions today - as there were in the 1960s and 1970s - about whether minorities are being adequately represented by the at-large structure of Columbus City Council. Also present are strong concerns about whether minorities could be better served by adding district representation to Council, as almost all other large American cities have done. I urge the Committee to examine closely these extremely important issues.

Joseph Sommer  
5672 Great Hall Court  
Columbus, Ohio 43231-3067  
614-226-1685 (cell)

## Nancy Day-Achauer: Charter Review Public Comment

Data from form "Public Comment" was received on 12/13/2016 1:20:34 PM.

Contact the Charter Review Commission

| Field         | Value                                                                      |
|---------------|----------------------------------------------------------------------------|
| Name          | Nancy Day-Achauer                                                          |
| Email address | <a href="mailto:pastor.nancy.d.a@gmail.com">pastor.nancy.d.a@gmail.com</a> |
| Subject       | Charter Review Public Comment                                              |
| Message       | I will send my comments for the Dec. 15 meeting in an attachment via email |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [pastor.nancy.d.a@gmail.com](mailto:pastor.nancy.d.a@gmail.com) on 12/13/2016 1:20:34 PM.

## **Nancy Day-Achauer: Request to Speak at Dec. 15 Meeting**

**From:** Nancy Day-Achauer [<mailto:pastor.nancy.d.a@gmail.com>]

**Sent:** Tuesday, December 13, 2016 3:24 PM

**To:** Charter

**Subject:** request to speak at Dec. 15 meeting

I wish to speak briefly at this week's Charter Review Committee Meeting on December 15. My remarks are attached.

The Rev. Nancy Day-Achauer  
5951 Lucci's Court  
Columbus, OH 43228  
740-417-0137  
[pastor.nancy.d.a@gmail.com](mailto:pastor.nancy.d.a@gmail.com)

Representing:  
St. Mark's United Methodist Church  
United Westside Coalition  
Westland Area Commission

--

Nancy Day-Achauer, Pastor  
St. Mark's United Methodist Church  
[www.StMarksUMCOH.org](http://www.StMarksUMCOH.org)  
[Pastor.Nancy.D.A@gmail.com](mailto:Pastor.Nancy.D.A@gmail.com)



## **Attachment: Day.Achauer Remarks**

### Remarks for Dec. 15 Charter Review Meeting

The Rev. Nancy Day-Achauer  
5951 Lucci's Court  
Columbus, OH 43228  
740-417-0137  
[Pastor.nancy.d.a@gmail.com](mailto:Pastor.nancy.d.a@gmail.com)

Representing:  
St. Mark's United Methodist Church  
United Westside Coalition  
Westland Area Commission

As a community leader on the Far Westside of Columbus, I am compelled to stress the importance of community input in city governance through our Area Commissions. Columbus is a large and diverse city whose City Council lacks local representation from all areas of the city. In my community, lack of representation has resulted in decades of neglect. Elected officials who are unfamiliar with a neighborhood lack the information needed to make informed decisions affecting that community. Additionally, this unfamiliarity can lead to misunderstandings resulting in neglect or other negative impacts as has happened in my community.

Currently, Area Commissions play a non-binding advisory roll in decision making regarding zoning and serve as a liaison with the city. We can do much more if given a greater voice. We know the needs and cultural context of our communities and can provide input that could help create equity of city services and improve economic vitality and quality of life throughout the City of Columbus.

The current governance structure of Columbus has left the Westland Area underserved and economically depressed and we are not alone. I do not believe that the City of Columbus can effectively turn our situation around without a system allowing a form of authentic local representation. I implore the Charter Review Committee to institute changes to the charter that will incorporate a system of actual local representation in our city governance. We need a city government that will work with communities so all neighborhoods can prosper.

## Emmanuel V. Remy: Charter Review Public Comment

Data from form "Public Comment" was received on 12/15/2016 1:39:37 PM.

Contact the Charter Review Commission

| Field         | Value                                                                                                |
|---------------|------------------------------------------------------------------------------------------------------|
| Name          | Emmanuel V. Remy                                                                                     |
| Email address | <a href="mailto:emmanuel.v.remy@gmail.com">emmanuel.v.remy@gmail.com</a>                             |
| Subject       | Charter Review Public Comment                                                                        |
| Message       | I will be working on my comments this afternoon and will bring them to tonight's meeting.<br>Thanks! |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [emmanuel.v.remy@gmail.com](mailto:emmanuel.v.remy@gmail.com) on 12/15/2016 1:39:37 PM.

## **Kalitha Williams: Public Comment**

From: Kalitha Williams [<mailto:kalithawilliams@hotmail.com>]

Sent: Thursday, December 15, 2016 5:22 PM

To: Charter

Subject: public comment

Attached are my comments for the Columbus Charter Review Committee.

Kalitha Williams

## Attachment: Columbus Charter Review Committee Comments

### Columbus Charter Review Commission Comments

My name is Kalitha Williams and I live at 2265 Waters Edge Blvd, Columbus, Ohio. I am speaking today as a public citizen of the city of Columbus. My testimony today is a reflection of my own personal views and does not represent anyone else or any organization. As you continue your deliberation on the future of City Council, I want to offer my concerns on campaign finance reform and the part-time status for Columbus City Council members.

**We need campaign finance reform in the city of Columbus.** Our current system of financing candidates and campaigns is comparable to the “Wild West”. Specifically, we do not have campaign contribution limits, we lack requirements for disclosing donor employment or profession information, and searching through campaign finance reports is unnecessarily cumbersome and is an impediment for public accountability. The lack of regulation is as impactful to the composition of Columbus City Council, as the appointment process, because it limits who can be a viable candidate.

Campaign contribution limits are important to ensuring fair and accessible elections. Unlimited campaign contributions feed into the public perception of political corruption. They also limit the ability of candidates that are unendorsed by organized political parties to effectively participate in elections. At the federal level, individual campaign contributions are limited to \$2,700 per election cycle.<sup>1</sup> Ohio candidates cannot receive more than \$12,532.34 each year from individual donors.<sup>2</sup> But in 2015, we saw a local candidate for Columbus office, receive \$100,000 from one contributor. A candidate for a Columbus office should not be able to receive a larger contribution than the President of the United States of America.

Donor employment and profession information is important to ensuring that elections are transparent to the public. Currently, donors to Columbus officeholders or candidates are not required to share their employer or occupation. It is important for the public to have a full understanding of the “who” and “why” a donor is giving to a candidate. Unfortunately, with the current system of reporting for Columbus offices, the public would need the resources of a research firm or newsroom to determine that. For Ohio statewide and state legislative candidates, all contributions over \$100 require the employer and profession of the contributor. The same is true for individual contributors to federal campaigns that donate at least \$200 to a candidate.<sup>3</sup>

The Federal Elections Commission and the Ohio Secretary of State both have electronic databases that make it easy for citizens to search and analyze campaign contributions. The Franklin County Board of Elections has an online database, but it only provides images of disclosure forms, which are often

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<sup>1</sup> Federal Elections Commission, Contribution Limits for 2015-2016 Federal Elections, <http://www.fec.gov/info/contriblimitschart1516.pdf>

<sup>2</sup> Ohio Secretary of State, Ohio Campaign Contribution Limits Table, <https://www.sos.state.oh.us/sos/upload/candidates/2013limitchart.pdf>

<sup>3</sup> 11 Code of Regulation 104.7, <https://www.gpo.gov/fdsys/pkg/CFR-2011-title11-vol1/pdf/CFR-2011-title11-vol1-sec104-7.pdf>

illegible, either through poor quality scanning or very tiny unreadable fonts. Also, the information in the reports like contributions and expenditures are not searchable.

Overall, Columbus citizens deserve robust campaign finance reform that makes political participation accessible to all, not just to those connected to wealthy interests; means to hold elected officials accountable through transparent information about their contributors, and the ability to search campaign records using the latest technology.

**Columbus families have more pressing issues than determining the compensation classification of Councilmembers.** I also want to speak with you regarding the discussion to change the employment status of Columbus City Councilmembers from part-time employees to full-time. This discussion on the reclassification of Columbus City Council, where the major change would be to dramatically increase their salaries, is, frankly, tone deaf given the economic challenges of working Columbus families. The annual salary of a Columbus City Councilmember is \$52,600. According to the United States Census, the average Columbus household of 2.4 people has an income of \$45,659<sup>4</sup>. Therefore, a single member of Council working part-time, makes 15% more than the average Columbus family. One in five or 20% of Columbusites live in poverty.<sup>5</sup> We have an affordable housing crisis in Central Ohio, where over 24,000 families applied for a few hundred section 8 vouchers, because they cannot find reasonably priced and safe housing.<sup>6</sup> Research has shown that wages have not kept pace with productivity and families are struggling to make ends meet as their living expenses rise.<sup>7</sup> Unfortunately, Columbus workers do not have the power to organize a committee to recommend raising their pay. Public service is a privilege and an opportunity to get to work on addressing the hard issues our communities face. Now is not the time to discuss increasing compensation packages of public servants when so many are suffering.

Lastly, I want to speak about with you regarding somethings that troubled me regarding the administration, operations, and accessibility of this committee. Unfortunately, I was not able to attend previous meetings and be as engaged as I would have liked. I was glad to see that there was a website where videos and documents could keep me abreast of the committee's work. Unfortunately, I was concerned by the following observations:

- **Public comments to the committee have not been posted online.** While reading meeting minutes, there were references to public comment and presentations that were noted as being "on file in Charter Review Committee records", but they were nowhere to be found online. I had to send an email to a comment box on the website, requesting to see all of the public comments. I am not clear why the full comments and presentations from the public were not

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<sup>4</sup> United States Census Bureau, QuickFacts, 2011-2015 estimates, <http://www.census.gov/quickfacts/table/HSD410215/3918000,39>

<sup>5</sup> United States Census Bureau, QuickFacts, 2011-2015 estimates, <http://www.census.gov/quickfacts/table/HSD410215/3918000,39>

<sup>6</sup> Affordable housing - Housing-voucher requests pour in, M. Ferencik, *Columbus Dispatch*, October 6, 2015

<sup>7</sup> Still Struggling: State of Working Ohio 2016, Policy Matters Ohio, <http://www.policymattersohio.org/state-of-working-ohio-2016>

available online, but the presentations from City Hall staff are. Certainly, the comments from the public are as important as those from Council staff.

- **Columbus City Council staff presentation data in mostly uncited.** The website provides links to several pages of data, public opinion polls, charts, graphs and maps, but most of them lacked any citations as to where the information originated. On two occasions I had to track down a source to get the full report data. This is very troubling to me. Certain city officials have cited a desire to have open and transparent dialogue with the community on the structure of Council. I imagine it also includes a desire to appease some views from the public that City Government is operating in a clandestine way. However, presenting information without the ability to substantiate its veracity, does not build public trust. Instead it breeds suspicion.
- **The majority of the expert presentations have been from City Hall staff, which I feel poses a conflict of interest.** At least three Council members have made public statements that suggest they would like to see their employment status change. Council staff is an extension of Council and their presentations should be seen as more of that of an "interested party" than objective. Unfortunately, it appears that only two experts were not City Hall staffers. There are several organizations throughout the country that are committed good government practices and policies, yet none of them seems to have been engaged in this process. These organizations include The League of Women Voters, Brennan Center for Justice, Common Cause, US Public Interest Research Group, Public Citizen, etc.

As the committee prepares to make its final recommendations, I hope they will take a broad approach to ensuring a fair and robust pathway to serving on Columbus City Council.

## **Jonathan Beard: Charter Review Information**

**From:** Jonathan Beard [<mailto:jonbeard1964@gmail.com>]

**Sent:** Thursday, December 15, 2016 5:40 PM

**To:** Charter

**Subject:** charter review information



## Attachment: Revisiting Our Noncompetitive At Large Field Elections

### REVISITING OUR NONCOMPETITIVE AT LARGE FIELD ELECTIONS

Bryan Clark, the leader of the successful, but factually-challenged “One Columbus” campaign in opposition to Issue 1, gave a presentation about competitiveness of different electoral systems, ending with his conclusion that at large field elections (with multiple candidates, like Columbus’s) are more competitive and he specifically stated the average winning margin was 5.2% over the past two election cycles.

Just like the Issue 1 campaign, Clark’s presentation was partially accurate, and vastly misleading. The winning vote margins are smaller simply because of math – they reflect the smaller percentages of votes as a percentage of all ballots cast for council (i.e., 3 or 4 ballots per voter), but the absolute vote margins may be identical.

In theory, in a head-to-head race, the winning candidate would receive 50% of the vote, plus one. In a field race for four seats where there are eight candidates and every voter gets four votes, a winning margin could be one vote more than 12.5% of the total votes cast.

In the 2015 election, Zach Klein received 18.18% of the vote, Liz Brown 17.55%, Mike Stinziano 17.44%, and Jaiza Page 15.07%. Dimitrious Stanley received 12.99%, John Rush 8.47%, Besmira Sarrah 5.22% and Ibrahima Sow 4.9%. While it may be tempting to claim that the margins of victory were small: that is, that the margin between lowest vote getting winner (Jaiza Page) and the top vote getting losing candidate (Dimitrious Stanley) is 3.8% (i.e., 15.07% – 12.99%), and on down the line to the Page – Sow difference of 10.17% (her 15.07% share of the total vote to his 4.9%), that is an inaccurate and misleading analysis.

In reality the difference between Page and Stanley was 10,393 votes (her 75,223 votes to his 64,830 votes), which is a 16% margin of victory (i.e., equivalent to a 58% – 42% vote, which would not be deemed competitive in a head-to-head race). And on down the line, in fact the margin of defeats (from Page) for all the challengers are as follows:

- Stanley lost by 16%  $[(75,223 - 64,830)/64,830]$
- Rush lost by 78%  $(75,223 - 42,252)/42,252$
- Sharrah lost by 189%  $(75,223 - 26,029)/26,029$
- Sow lost by 207%  $(75,223 - 24,471)/24,471$ .

And the margins between winning and losing are even bigger when the higher vote getting winners are put into the mix.

Also as shown in the Exhibit A spreadsheet, in the 2013 election, the margins of defeat ranged from 39% to 62%, and in 2011, the margins of defeat ranged from 38.8% to 49.7%. They are nowhere near the 5.2% cited by Clark in his presentation. In short, far from what was claimed



in Mr.Clark's presentation – where the margins for at large field elections were apparently described as percentages of the total vote – Columbus elections are non-competitive, blowout elections where most of the losing candidates are nowhere close to gaining a seat.

### **UNDERVOTING IN COLUMBUS AT LARGE ELECTIONS** **(See Exhibit A spreadsheet and Board of Election vote tallies)**

Perhaps the biggest question about the at large field elections is the number and percentage of people who cast a Columbus ballot, but do not vote for all councilmembers - “undervotes.” In the 2015 General Election, the number of net undervotes (198,052) was 40% of the number of votes cast for the candidates (499,112) in the 8 person field race, and the number of undervotes (59,442) was 52% of all votes cast (113,489) in the head-to-head race for the unexpired term.

The number of undervotes (198,052) received more than the number of votes of the leading candidate (Zach Klein, with 90,716) – meaning more people chose no one, than chose any one of the vote-getting candidates. Because of this, only two winning candidates received votes from more than 50% of the voters (Zach Klein – 52% and Elizabeth Brown 50.2%). The other two winning candidates received less than 50% of the voters' votes (Jaiza Page - 43.1% and Michael Stinziano - 49.9%)

In the 2013 General Election there were 61,850 undervotes and 203,984 votes cast for the six candidates (30%), and in the 2011 General Election there were 243,421 net undervotes and 516,089 votes cast for the 8 candidates on the ballot. Just one of the three winning candidates (Priscilla Tyson) got more than 50% of voters to push a button for her, as Eileen Paley got 49.9% and Troy Miller got 48.9%)

In the 2011 election where undervotes were 47% of the number of votes cast for council candidates, not a single elected council member received the votes of more than half the voters (Michelle Mills – 49.7%, Andrew Ginther – 46.5%, Zach Klein – 43.7%, and Hearcel Craig – 38.8%).

### **So why is there such a high amount of undervoting when everybody's name is on the screen?**

It is reasonable to believe that a fair number of voters who don't know anything about the candidates in these citywide elections simply don't vote for people they don't know.

While some will vote the party slate card without any knowledge of candidates – indeed, that is what each of the political parties bank on , and it is quite likely that many people simply vote the party slate (endorsement) card – again presuming they know something about the candidate based on the national brand of the endorsing party.

If that is so, what is the point of having elections where the majority of voters don't know enough about who is on the ballot to cast a vote for them? The rationale of being able to vote

for everyone who can impose a tax on each voter is interesting, but the reality is that many people don't know enough about the candidates to feel comfortable casting votes, and the majority of those elected are elected without a majority in a situation where securing a majority for election should mathematically be the norm.

# Attachment: 2009 Council Campaign Financing

## COLUMBUS CITY COUNCIL 2009 ELECTIONS

### Campaign Contributions

|                                           |    |   | Pre<br>General | Pre<br>General | 5 Day<br>General | Post<br>General | Total<br>Campaign | Campaign<br>Percent<br>Total Challenger<br>and Incumbents | In-Kind by<br>FCDP | In-Kind by<br>OHDP |
|-------------------------------------------|----|---|----------------|----------------|------------------|-----------------|-------------------|-----------------------------------------------------------|--------------------|--------------------|
| <b>Tyson</b>                              |    |   |                |                |                  |                 |                   |                                                           |                    |                    |
| Cash                                      | \$ | - | \$ 23,157.82   | \$ 5,250.00    | \$ 23,157.82     | \$ 2,300.00     | \$ 53,865.64      | 36%                                                       |                    |                    |
| In Kind                                   | \$ | - | \$ 30,335.67   | \$ 27,986.65   | \$ 34,102.33     | \$ 5,208.68     | \$ 97,633.33      | 64%                                                       | \$ 86,674.67       |                    |
| Total                                     |    |   |                |                |                  |                 | \$ 151,498.97     |                                                           |                    |                    |
| <b>Miller</b>                             |    |   |                |                |                  |                 |                   |                                                           |                    |                    |
| Cash                                      | \$ | - | \$ -           | \$ 18,389.92   | \$ 150.00        | \$ 2,350.00     | \$ 20,889.92      | 34%                                                       |                    |                    |
| In Kind                                   | \$ | - | \$ -           | \$ 34,896.96   | \$ -             | \$ 5,208.67     | \$ 40,105.63      | 66%                                                       | \$ 33,631.96       |                    |
| Total                                     |    |   |                |                |                  |                 | \$ 60,995.55      |                                                           |                    |                    |
| <b>Paley</b>                              |    |   |                |                |                  |                 |                   |                                                           |                    |                    |
| Cash                                      | \$ | - | \$ -           | \$ 23,878.32   | \$ -             | \$ 3,025.00     | \$ 26,903.32      | 27%                                                       |                    |                    |
| In Kind                                   | \$ | - | \$ -           | \$ 40,835.32   |                  | \$ 32,283.99    | \$ 73,119.31      | 73%                                                       | \$ 44,422.09       | \$ 25,955.34       |
| Total                                     |    |   |                |                |                  |                 | \$ 100,022.63     |                                                           |                    |                    |
| <b>Total Contributions for Incumbents</b> |    |   |                |                |                  |                 | \$ 312,517.15     |                                                           | \$ 164,728.72      | \$ 25,955.34       |
|                                           |    |   |                |                |                  |                 |                   |                                                           | 53%                | 8%                 |

# Attachment: 2011 Council Campaign Financing

## COLUMBUS CITY COUNCIL 2011 ELECTIONS Campaign Contributions

|                                            | Pre<br>General | 5 Day<br>General | Post<br>General | Total<br>Campaign<br>Contributions | Total Challenger<br>Percent and Incumbents | In-Kind<br>by<br>Ginther |
|--------------------------------------------|----------------|------------------|-----------------|------------------------------------|--------------------------------------------|--------------------------|
| <b>Mills</b>                               |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ 30,449.55   | \$ 6,435.00      | \$ 1,120.00     | \$ 38,004.55                       | 25%                                        |                          |
| In Kind                                    | \$ 113,676.11  | \$ 3,247.90      | -               | \$ 116,924.01                      | 75%                                        | \$ 111,569.41            |
| Total                                      |                |                  |                 | \$ 154,928.56                      |                                            |                          |
| <b>Craig</b>                               |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ 5,300.00    | \$ 5,965.00      | \$ 1,775.00     | \$ 13,040.00                       | 10%                                        |                          |
| In Kind                                    | \$ 112,586.75  | \$ 3,247.90      | -               | \$ 115,834.65                      | 90%                                        | \$ 108,321.51            |
| Total                                      |                |                  |                 | \$ 128,874.65                      |                                            |                          |
| <b>Klein</b>                               |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ 15,095.00   | \$ 4,640.00      | \$ 8,200.00     | \$ 28,435.00                       | 15%                                        |                          |
| In Kind                                    | \$ 136,823.77  | \$ 3,247.90      | \$ 22,894.58    | \$ 162,966.25                      | 85%                                        | \$ 108,321.51            |
| Total                                      |                |                  |                 | \$ 191,401.25                      |                                            |                          |
| <b>Ginther</b>                             |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ 187,547.00  | \$ 58,667.22     | \$ 32,500.00    | \$ 278,714.22                      | 98%                                        |                          |
| In Kind                                    | \$ 4,065.24    | -                | \$ 226.95       | \$ 4,292.19                        | 2%                                         | \$ -                     |
| Total                                      |                |                  |                 | \$ 283,006.41                      |                                            |                          |
| <b>Total Contributions for Incumbents</b>  |                |                  |                 |                                    |                                            |                          |
|                                            |                |                  |                 | \$ 758,010.87                      | 73%                                        | \$ 611,218.84            |
| <b>Ferris</b>                              |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ 30,449.55   | \$ 14,950.00     | \$ 1,120.00     | \$ 46,519.55                       | 28%                                        |                          |
| In Kind                                    | \$ 113,676.11  | \$ 3,247.90      | -               | \$ 116,924.01                      | 72%                                        | \$ -                     |
| Total                                      |                |                  |                 | \$ 163,443.56                      |                                            |                          |
| <b>A. Healy</b>                            |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ -           | \$ -             | \$ -            | \$ -                               | MDV/OI                                     |                          |
| In Kind                                    | \$ -           | \$ -             | \$ -            | \$ -                               | MDV/OI                                     | \$ -                     |
| Total                                      |                |                  |                 | \$ -                               |                                            |                          |
| <b>J. Healy</b>                            |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ -           | \$ -             | \$ -            | \$ -                               | MDV/OI                                     |                          |
| In Kind                                    | \$ -           | \$ -             | \$ -            | \$ -                               | MDV/OI                                     | \$ -                     |
| Total                                      |                |                  |                 | \$ -                               |                                            |                          |
| <b>Hennessey</b>                           |                |                  |                 |                                    |                                            |                          |
| Cash                                       | \$ 53,185.50   | \$ 5,720.00      | \$ 46,870.00    | \$ 105,775.50                      | 95%                                        |                          |
| In Kind                                    | \$ 5,000.00    | \$ -             | \$ 750.00       | \$ 5,750.00                        | 5%                                         | \$ -                     |
| Total                                      |                |                  |                 | \$ 111,525.50                      |                                            |                          |
| <b>Total Contributions for Challengers</b> |                |                  |                 |                                    |                                            |                          |
|                                            |                |                  |                 | \$ 274,969.06                      | 27%                                        |                          |
| <b>Total Election Cycle Contributions</b>  |                |                  |                 |                                    |                                            |                          |
|                                            |                |                  |                 | \$ 526,677.21                      |                                            | \$ 1,032,979.93          |
|                                            |                |                  |                 |                                    |                                            | 0%                       |

All Ginther Spend Total  
 2011 \$ 611,218.84 \$ 1,032,979.93 59%  
 2013 \$ 274,190.64 \$ 391,844.09 70%  
 \$ 885,409.48 \$ 1,424,824.02 62%

Total Ginther In-kind to Incumbents  
 2011 \$ 328,212.43  
 2013 \$ 278,714.22  
 \$ 602,403.07  
 \$ 1,483,520.36

Total Other Incumbents  
 \$ 155,607.80  
 \$ 101,074.99  
 \$ 256,682.79 \$ 859,085.86

## **Jonathan Beard: Public Comment**

**From:** Jonathan Beard [<mailto:jonbeard1964@gmail.com>]

**Sent:** Friday, December 16, 2016 10:35 PM

**To:** Charter

**Subject:** Public comment

Please see the attached file and share it with the committee. Thank you.

-- Jon Beard

## Attachment: Non Competitive At Large Field Elections 2011-2015

### HISTORY OF ELECTIONS TO COUNCIL

Jonathan C. Beard

December 16, 2016

Exhibit A is a table showing the current members of council, and for those since 1985, how they came to office (which seat they filled, and whether they came by appointment or election). In this 31 year period, 4 of the council's 36 members over that period began service by election (Bradley, Fisher, O'Shaugnessey and Elizabeth Brown), the other 32 began service by appointment.

There were two Republicans in 1991, (Jeanette Bradley and Arlene Shoemaker), Democrat Matt Habash replaced Shoemaker in 1993 upon her mid-term retirement, leaving Bradley as the only Republican. In 2003 Democrat Patsy Thomas was appointed to replace Bradley when she became Lt. Governor, leaving no Republicans or other parties on council.

Significantly, all Black Democrats have gained office by appointment, and Columbus maintained an informal Black Male seat (Espy, Coleman, Ransier, Boyce, Miller and Hardin), and for a time a "Black Female" seat: Jerry Hammond, Les Wright, Charleta Tavares, and Michelle Mills, before Fran Ryan was appointed and Liz Brown won election to that seat. If the appointment process is eliminated, it is unlikely African Americans will win citywide seats. A partial list of unsuccessful African American candidates includes Clifford Tyree, Jesse Woods, Ruth Fraling McNeil, and Bev Corner – each of whom had significant prior community service that did not translate into a citywide election.

In contrast, the recent appointees are not marked with significant community experience, but came to office as a result of sponsorship by the city officials they worked for: Mitch Brown and Shannon Hardin worked for Mayor Coleman, and Jaiza Page worked for City Attorney Rick Pfeiffer. The fact that current appointees past job was as city employees is troubling (and indeed Mayor Coleman referred to Mr. Hardin as being like a son to him) – they can hardly be described as having a constituency of their own (outside of the insider culture) or bringing fresh and independent thinking to the job. Other recent political appointees have been a Sensenbrenner, Mentel, O'Shaugnessey, and Brown – all offspring of other elected officials -- the Democratic Party has created through the appointment process a self-annointing "ruling class" divorced from the citizenry and entered into by heredity or sponsorship.

In review of the Vote Margin spreadsheet (Exhibit B), among the current councilmembers, only Priscilla Tyson (initially appointed in 2007) has received more than 50% of the vote of electors (in 2013). And in fact, an elected Black candidate has been the lowest vote-getter at each of the last three elections.

Looking at a map of the 2009 General Election (Exhibit C) where there were equal numbers of Black and White candidates, areas that voted more than 65% in favor of the African American candidates were predominately Black populations (74% Black), and areas where 45% or less of the vote went to Black candidates were predominately White (11% Black). (Note: the race of candidates is a very crude measure here—this was not intended to be a precise picture of electoral choice, just illustrative of differing racial voting patterns). The population of Columbus is just 28% Black, so racially polarized voting where White voters can negate the preferences of Black voters is certainly possible.



### **The Consolidation of Power and Money**

The role of the Franklin County Democratic Party is significant, as for the past 30 years, all new members have been Democrats with the changes in Franklin County and Columbus demographics. The Democratic Party has further signaled strongly that it does not want intraparty competition for elected offices once party insiders decided who their preferred candidate is –even vacant offices as in the case of Columbus Mayor. The party ran out three office holders who supported Zach Scott in his campaign for the vacant Columbus Mayor spot.

This does not bode well for Columbus, which often does not have council primaries ( Exhibit D). Since 1972, there have been council primaries in just 14 of the 24 primary elections (58%). As Republicans continue to experience election futility with the changed political landscape of the county and the Democrats practice political banishment for Democrats who challenge the party-preferred candidates, there will be less and less political competition for the at large seats (which even incumbents cannot afford to run for [see Exhibit E, which shows how little the members raise by themselves and how much they rely on in-kind spending by the party (2009) and by the council president (2011 and 2013). No analysis was done for the 2015 election. Exhibit E has the relevant pages of a sample campaign finance report showing the source of the data compiled in the spreadsheets].

In short, under the at large format, we may soon be seeing appointments with no Primary opposition or General Election opposition.

### **The Appointment Process**

Again, only two Black councilmembers have been elected initially to office since 1916 (Democrat Dr. John Rosemond in 1969 and Republican Jeanette Bradley in 1991). An August 24, 2000 Dispatch article states “All five finalists are black. Traditionally, the seat held by Ransier has been held by a black man, and council Democrats in past years have chosen appointments to fit certain demographics.” The article also highlights the importance of party loyalty and fundraising capability as being critical to gaining appointment – which apparently is what the appointing council members believe should matter most to citizens of Columbus – again, illustrating the dysfunctionality of the appointment process. Because Black Democrats have gained office exclusively by appointment since 1969, changes to the appointment process will likely have the effect of eliminating Black councilmembers in this at large system, which would likely immediately create the conditions for a federal lawsuit under Section 2 of the Voting Rights Act – if such a condition does not already exist.

While well-intended, the paternalistic hand-picking of Black appointees to represent the interests of Black Columbus – playing a skin-color game -- is outmoded and insulting, and needs to stop. The clear solution used across the country is creating smaller council districts that ordinary citizens can afford to run in, including one or more majority-minority districts where minority voters can choose for themselves, from candidates of any race, who best can represent them. The Charter Review Committee will have to engage in contortions to avoid recommending the obvious fair and equitable answer, which is elections by council district.

**Exhibit A: Listing of Councilmembers and Seats (1985 – 2016)**



### CITY COUNCIL SEATS (1985- Present)

This table illustrates the method by which members assumed office and their subsequent terms, since 1985.

No Black Democrat has initially won election since 1969.

One One Black Democrat (2 Blacks in all) have initially won their seat since the first Home Rule charter election in 1916.

Source: Columbus Dispatch on-line archives

| Informal Name: |                 | "Black Male" seat         |                 | "Black Female" Seat |               |               |               |
|----------------|-----------------|---------------------------|-----------------|---------------------|---------------|---------------|---------------|
| 1985           | M.D. Portman    | Ben Espy                  | A-Cynthia Cecil | John Maloney        | Jerry Hammond | Charles Mente | Arlene Shoema |
| 1986           |                 |                           |                 |                     |               |               |               |
| 1987           |                 |                           |                 |                     |               |               |               |
| 1988           |                 |                           |                 | Died                | Hammond       |               | Shoemaker     |
| 1989           | Portman         | Espy                      | Cecil/Lazarus   | A-Tom Kaplin        |               | A - J.Kennedy |               |
| 1990           |                 |                           |                 |                     |               |               |               |
| 1991           |                 |                           |                 | J. Bradley          | A-Les Wright  | Kennedy       | Shoemaker     |
| 1992           |                 |                           |                 |                     |               |               |               |
| 1993           | Portman         | A-Mike Coleman            | Cecil/Lazarus   |                     |               |               | A-Habash      |
| 1994           |                 |                           | A-Griffin       |                     |               |               |               |
| 1995           |                 |                           | P.Fisher        | Bradley             | Wright        | Kennedy       | Habash        |
| 1996           |                 |                           |                 |                     |               |               |               |
| 1997           | A-Sensenbrenner | Coleman                   | O'Shaugnessy    |                     |               |               |               |
| 1998           |                 |                           |                 |                     |               |               |               |
| 1999           |                 |                           |                 | Bradley             | A-C. Tavares  | A- M. Mentel  | Habash        |
| 2000           |                 | A- F. Ransier/A- K. Boyce |                 |                     |               |               |               |
| 2001           | Sensenbrenner   | Boyce                     | O'Shaugnessy    |                     |               |               |               |
| 2002           |                 |                           |                 |                     |               |               |               |
| 2003           |                 |                           |                 | A-Patsy Thomas      | Tavares       | Mentel        | Habash        |
| 2004           | A- MJ Hudson    |                           |                 |                     |               |               |               |
| 2005           | Hudson          | Boyce                     | O'Shaugnessy    | A. Ginther          |               |               | A-Craig       |
| 2006           |                 |                           |                 |                     |               |               |               |
| 2007           | A-Tyson         |                           |                 |                     | Tavares       | Mentel        | Craig         |
| 2008           |                 |                           |                 |                     |               |               |               |
| 2009           | Tyson           | A-Miller                  | A-Paley         | Ginther             |               |               |               |
| 2010           |                 |                           |                 |                     |               |               |               |
| 2011           |                 |                           |                 |                     | A- Mills      | A-Klein       | Craig         |
| 2012           |                 |                           |                 |                     |               |               |               |
| 2013           | Tyson           | Miller                    | Paley           | Ginther             |               |               |               |
| 2014           |                 |                           |                 |                     | A-F.Ryan      |               |               |
| 2015           |                 | A-Hardin                  | A-M.Brown       | A-Stinziano         | L. Brown      | Klein         | A - J. Page   |
| 2016           |                 |                           |                 |                     |               |               |               |

#### Key to Color Coding:

Won Seat at Election

Year of appointment (Black)

Year of appointment (White)

Continuing years of service (Black)

Continuing years of service (White)

A- Appointment

**Exhibit B: Spreadsheet Showing Margins of Defeat (2011 – 2015)**

## MARGINS OF VICTORY

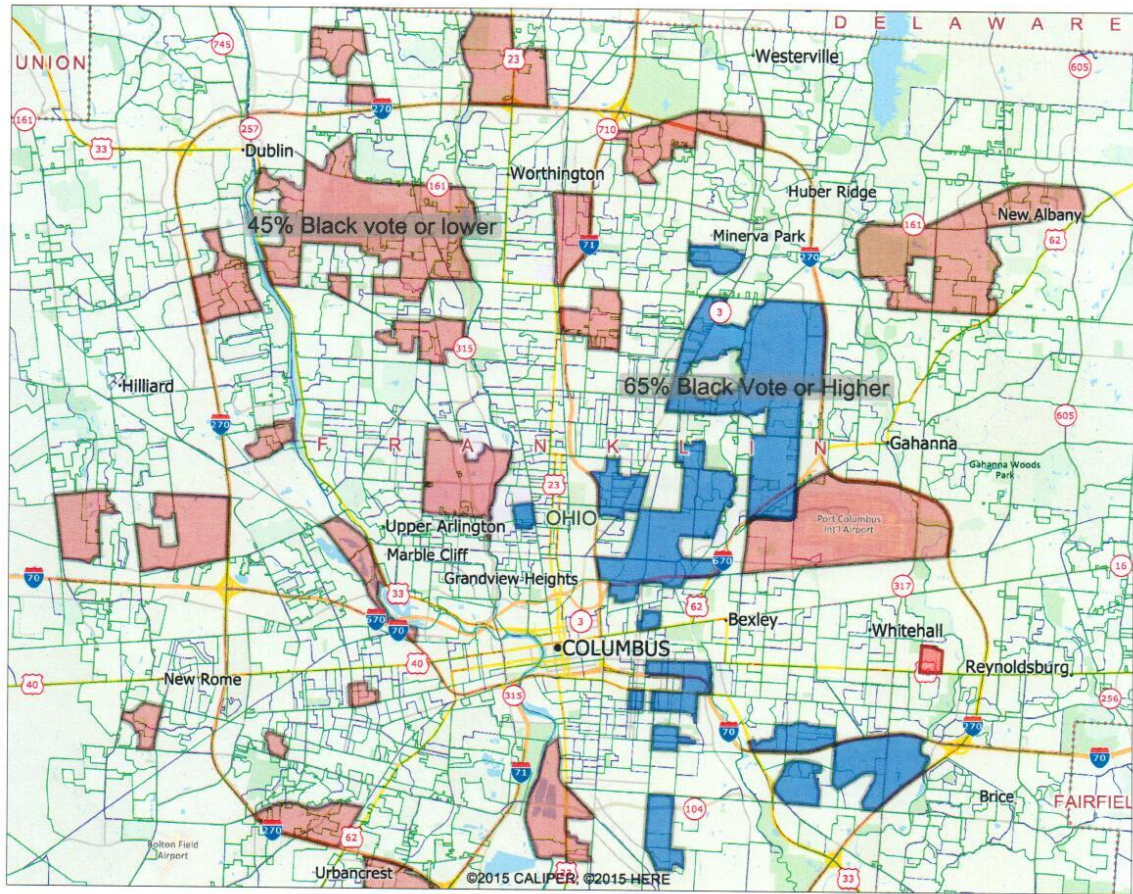
|                              |         |                   | Vote<br>Differential | Percent<br>Loss |         |
|------------------------------|---------|-------------------|----------------------|-----------------|---------|
| <b>2015 GENERAL ELECTION</b> |         |                   |                      |                 |         |
| Mayor-eligible voters        |         |                   |                      |                 | 174,386 |
| E. Brown                     | 87,619  | 17.55%            |                      |                 | 50.2%   |
| Z. Klein                     | 90,716  | 18.18%            |                      |                 | 52.0%   |
| J. Page                      | 75,223  | 15.07%            |                      |                 | 43.1%   |
| J. Rush                      | 42,252  | 8.47%             | 32,971               | 178%            |         |
| B. Sharrah                   | 26,029  | 5.22%             | 49,194               | 289%            |         |
| I. Sow                       | 24,471  | 4.90%             | 50,752               | 307%            |         |
| D. Stanley                   | 64,830  | 12.99%            | 10,393               | 116%            |         |
| M. Stinziano                 | 87,048  | 17.44%            |                      |                 | 49.9%   |
| Writein                      | 924     | 0.19%             |                      |                 |         |
|                              | 499,112 | 100%              |                      |                 |         |
| Net Undervotes               | 198,052 | 40% of votes cast |                      |                 |         |
| S. Hardin                    | 80,650  | 71.06%            |                      |                 |         |
| A. Wenk                      | 32,839  | 28.94%            | 47,811               | 246%            | 46.2%   |
|                              | 113,489 |                   |                      |                 |         |
| Net Undervotes               | 59,442  | 52% of votes      |                      |                 | 34%     |
| <b>2013 GENERAL ELECTION</b> |         |                   |                      |                 |         |
| Estimated city voters        |         |                   |                      |                 | 88,611  |
| B. Bainbridge                | 24,746  | 12.13%            | 18,596               | 175%            |         |
| G. Lawson                    | 26,475  | 12.98%            | 16,867               | 164%            |         |
| A.T. Miller                  | 43,342  | 21.25%            |                      |                 | 48.9%   |
| E. Paley                     | 44,245  | 21.69%            |                      |                 | 49.9%   |
| N. Schneider                 | 16,601  | 8.14%             | 26,741               | 261%            |         |
| P. Tyson                     | 48,251  | 23.65%            |                      |                 | 54.5%   |
| Write-In                     | 324     | 0.16%             | 43,018               |                 |         |
|                              | 203,984 | 100.00%           |                      |                 |         |
| Net Undervotes               | 61,850  | 30% of votes      |                      |                 |         |
| Eligible Votes               | 265,834 |                   |                      |                 |         |
| Positions                    | 3       |                   |                      |                 |         |
| Estimated No. Voters         | 88,611  |                   |                      |                 |         |
| <b>2011 GENERAL ELECTION</b> |         |                   |                      |                 |         |
| Mayor-eligible voters        |         |                   |                      |                 | 191,320 |
| r. Bridges                   | 24,850  | 4.82%             | 49,306               | 150%            |         |
| H. Craig                     | 74,156  | 14.37%            |                      |                 | 38.8%   |
| M. Ferris                    | 57,952  | 11.23%            | 16,204               | 458%            |         |
| A. Gnither                   | 88,887  | 17.22%            |                      |                 | 46.5%   |
| D. Hennessy                  | 55,513  | 10.76%            | 18,643               | 398%            |         |
| Z. Klein                     | 83,552  | 16.19%            |                      |                 | 43.7%   |
| M. Mills                     | 95,042  | 18.42%            |                      |                 | 49.7%   |
| M. Noble                     | 34,853  | 6.75%             | 39,303               | 189%            |         |
| Write in                     | 1,284   | 0.25%             |                      |                 |         |
|                              | 516,089 | 100.00%           |                      |                 |         |
| Net undervotes               | 243,421 | 47%               |                      |                 |         |

9 of 12 winning candidates did not receive 1/2 the votes of eligible voters 2011-2015.

Lowest winner

**Exhibit C: 2009 General Election Map Reflecting Racially Polarized Voting**





## **2009 Election Results Mapping by Race of Candidate and Racial Composition of Voting Precinct**

### Methodology

The attached map is derived from the precinct voting results in the November 9, 2009 General Election, downloaded from the Franklin County Board of Elections website. In that election, there were 3 Black candidates (Alicia Healy, Troy Miller, Priscilla Tyson), and 3 White candidates (Matt Ferris, Roseann Hicks, and Eileen Paley) which makes for a simple comparison. The votes were tallied in each precinct by race (i.e., the number of votes in each precinct for Black candidates and for White candidates) and the percentage of votes for Black and White candidates was calculated. This percentage tally was then segregated into poles to show the precincts where Black candidates received 65% of the vote or more (shown as blue in the map), and the precincts where Black candidates received 45% of the vote or less (shown in orange in the map). Those precincts were then matched to the underlying Census Block Groups, and the underlying racial composition of those voting precincts was calculated.

### Results

The precincts where Black candidates received 65% of the vote or more had population that were 74% Black (total population of 58,819), and the precincts where Black candidates received 45% of the vote or less were 11% Black (total population of 98,876).

### Summary Analysis

This crude, but simple, illustration points to a circumstance where Blacks preferred a certain set of candidates, and Whites another -- and through gross numbers the majority White vote could outstrip the Black electoral preference. This is an illustration of racially polarized voting in Columbus.

By definition and court rulings, Section 2 of the Voting Rights Act makes at large electoral schemes unlawful where there is a history of racially-polarized voting -- particularly when the majority prevents the minority from electing candidates the minority prefers and there are sufficient numbers and geographical compactness of the minority to form a majority-minority district, as is clearly the case in Columbus. Exhibit G shows three potential council district formats (7, 11, and 13 districts with the underlying demographics showing two to three majority Black districts could easily be created in each).

One wonders whether the appointment process and Democratic Party promotion of Black candidates has been designed to thwart legal challenge -- while it is certainly well-intended, it is not clear whether a court would find it lawful, or whether voters should find this type of party selection of Black candidates to be moral. By reference, Austin maintained its all at large city council by having the "Gentleman's Agreement" where the business community would not support a White candidate to run against a Black in on At Large seat and a White in another At Large seat. Columbus's system, which had informally-designated Black male and Black female seats in the 1990s) appears to be similar in execution.

While the attached analysis is likely not the type of analysis that a court would use to determine the lawfulness or unlawfulness of our at large voting scheme, it does indicate there may be a serious potential legal problem for the city.

**Exhibit D: Columbus Primary Elections Since 1972 (including Gahanna  
and Reynoldsburg for the last 10 years)**

**COLUMBUS PRIMARY ELECTIONS (1969-2015)**

|           | Columbus |            | Reynolds | Hilliard |
|-----------|----------|------------|----------|----------|
| 1969      | Y        | 1          |          |          |
| 1971      | Y        | 1          |          |          |
| 1973      | Y        | 1          |          |          |
| 1975      | Y        | 1          |          |          |
| 1977      | Y        | 1          |          |          |
| 1979      | N        |            |          |          |
| 1981      | Y        | 1          |          |          |
| 1983      | Y        | 1          |          |          |
| 1985      | N        |            |          |          |
| 1987      | N        |            |          |          |
| 1989      | N        |            |          |          |
| 1991      | N        |            |          |          |
| 1993      | Y        | 1          |          |          |
| 1995      | N        |            |          |          |
| 1997      | N        |            | Y        | Y        |
| 1999      | N        |            | Y        | N        |
| 2001      | Y        | 1          | Y        | Y        |
| 2003      | Y        | 1          | Y        | Y        |
| 2005      | Y        | 1          | Y        | Y        |
| 2007      | Y        | 1          | Y        | Y        |
| 2009      | N        |            | Y        | Y        |
| 2011      | N        |            | Y        | Y        |
| 2013      | Y        | 1          | Y        | Y        |
| 2015      | Y        | 1          | Y        | Y        |
| <b>24</b> |          | <b>14</b>  |          |          |
|           |          | <b>58%</b> |          |          |



**Exhibit E: Campaign Finance Spending (2009 – 2013)**  
**with sample Campaign Finance Report – H. Craig 2011**

**COLUMBUS CITY COUNCIL 2013 ELECTIONS**  
Campaign Contributions

|                                            |    | Pre<br>Primary | 5 Day<br>Primary | Post<br>Primary | Pre<br>General | 5 Day<br>General | Total<br>Campaign | Campaign<br>Percent and Incumbents | Total Challenger<br>Percent and Incumbents | In-Kind by<br>Ginther |               |
|--------------------------------------------|----|----------------|------------------|-----------------|----------------|------------------|-------------------|------------------------------------|--------------------------------------------|-----------------------|---------------|
| <b>Schneider</b>                           |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| Cash                                       | \$ | 185.00         | \$ -             | \$ 500.00       | \$ 97.55       | \$ 200.00        | \$ 982.55         | 15%                                |                                            |                       |               |
| In Kind                                    | \$ | 1,200.00       | \$ 3,500.00      | \$ 127.50       | \$ 600.00      | \$ -             | \$ 5,427.50       | 85%                                |                                            | 0                     |               |
| Total                                      |    |                |                  |                 |                |                  | \$ 6,410.05       |                                    |                                            |                       |               |
| <b>Bainbridge</b>                          |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| Cash                                       | \$ | 2,750.00       | \$ -             | \$ 900.00       | \$ 1,525.00    | \$ -             | \$ 5,175.00       | 99%                                |                                            |                       |               |
| In Kind                                    | \$ | 59.36          | \$ -             | \$ -            | \$ -           | \$ -             | \$ 59.36          | 1%                                 |                                            | 0                     |               |
| Total                                      |    |                |                  |                 |                |                  | \$ 5,234.36       |                                    |                                            |                       |               |
| <b>Lawson</b>                              |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| Cash                                       | \$ | 1,100.00       | \$ -             | \$ 650.00       | \$ 3,020.00    | \$ 100.00        | \$ 4,870.00       | 99%                                |                                            |                       |               |
| In Kind                                    | \$ | 64.05          | \$ -             | \$ -            | \$ -           | \$ -             | \$ 64.05          | 1%                                 |                                            | 0                     |               |
| Total                                      |    |                |                  |                 |                |                  | \$ 4,934.05       |                                    | \$ 16,578.46                               | 4%                    |               |
| <b>Total Contributions for Challengers</b> |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
|                                            |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| <b>Tyson</b>                               |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| Cash                                       | \$ | 1,000.00       | \$ -             | \$ 2,500.00     | \$ 26,999.99   | \$ 2,650.00      | \$ 33,149.99      | 28%                                |                                            |                       |               |
| In Kind                                    | \$ | -              | \$ 24,632.38     | \$ -            | \$ 974.39      | \$ 58,751.58     | \$ 84,358.35      | 72%                                |                                            | \$ 84,358.35          |               |
| Total                                      |    |                |                  |                 |                |                  | \$ 117,508.34     |                                    |                                            |                       |               |
| <b>Miller</b>                              |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| Cash                                       | \$ | 500.00         | \$ -             | \$ 2,000.00     | \$ 5,925.00    | \$ 2,650.00      | \$ 11,075.00      | 10%                                |                                            |                       |               |
| In Kind                                    | \$ | 11,044.99      | \$ 24,632.38     | \$ -            | \$ 974.39      | \$ 58,751.58     | \$ 95,403.34      | 90%                                |                                            | \$ 95,403.34          |               |
| Total                                      |    |                |                  |                 |                |                  | \$ 106,478.34     |                                    |                                            |                       |               |
| <b>Paley</b>                               |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
| Cash                                       | \$ | 26,845.00      | \$ 6,585.00      | \$ 1,740.00     | \$ 18,705.00   | \$ 2,975.00      | \$ 56,850.00      | 38%                                |                                            |                       |               |
| In Kind                                    | \$ | 11,044.99      | \$ 24,632.38     |                 |                | \$ 58,751.58     | \$ 94,428.95      | 62%                                |                                            | \$ 94,428.95          |               |
| Total                                      |    |                |                  |                 |                |                  | \$ 151,278.95     |                                    |                                            |                       |               |
| <b>Total Contributions for Incumbents</b>  |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
|                                            |    |                |                  |                 |                |                  |                   |                                    | \$ 375,265.63                              | 96%                   | \$ 274,190.64 |
| <b>Total Election Cycle Contributions</b>  |    |                |                  |                 |                |                  |                   |                                    |                                            |                       |               |
|                                            |    |                |                  |                 |                |                  | \$ 391,844.09     |                                    | \$ 391,844.09                              | 70%                   | 73%           |

Source: Campaign Finance Reports on file with the Franklin County Board of Elections as of November 11, 2013.

\$ 0.78

# COLUMBUS CITY COUNCIL 2011 ELECTIONS

## Campaign Contributions

|                                            |    | Pre<br>General | 5 Day<br>General | Post<br>General | Total<br>Campaign | Total Campaign Total Challenger<br>Percent and Incumbents | In-Kind By<br>Ginther |
|--------------------------------------------|----|----------------|------------------|-----------------|-------------------|-----------------------------------------------------------|-----------------------|
| <b>Mills</b>                               |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | 30,449.55      | \$               | 6,435.00        | \$                | 38,004.55                                                 | 25%                   |
| In Kind                                    | \$ | 113,676.11     | \$               | 3,247.90        | \$                | 116,924.01                                                | 75%                   |
| Total                                      |    |                |                  |                 | \$                | 154,928.56                                                |                       |
| <b>Craig</b>                               |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | 5,300.00       | \$               | 5,985.00        | \$                | 11,285.00                                                 | 10%                   |
| In Kind                                    | \$ | 112,386.75     | \$               | 3,247.90        | \$                | 115,634.65                                                | 90%                   |
| Total                                      |    |                |                  |                 | \$                | 128,674.65                                                |                       |
| <b>Klein</b>                               |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | 15,095.00      | \$               | 4,640.00        | \$                | 19,735.00                                                 | 15%                   |
| In Kind                                    | \$ | 136,823.77     | \$               | 3,247.90        | \$                | 140,071.67                                                | 85%                   |
| Total                                      |    |                |                  |                 | \$                | 159,806.67                                                |                       |
| <b>Ginther</b>                             |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | 187,547.00     | \$               | 58,667.22       | \$                | 246,214.22                                                | 98%                   |
| In Kind                                    | \$ | 4,065.24       | \$               | -               | \$                | 4,065.24                                                  | 2%                    |
| Total                                      |    |                |                  |                 | \$                | 250,279.46                                                |                       |
| <b>Total Contributions for Incumbents</b>  |    |                |                  |                 |                   |                                                           |                       |
|                                            |    |                |                  |                 | \$                | 758,010.87                                                | 79%                   |
| <b>Ferris</b>                              |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | 30,449.55      | \$               | 14,950.00       | \$                | 45,399.55                                                 | 28%                   |
| In Kind                                    | \$ | 113,676.11     | \$               | 3,247.90        | \$                | 116,924.01                                                | 72%                   |
| Total                                      |    |                |                  |                 | \$                | 162,323.56                                                |                       |
| <b>A. Healy</b>                            |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | -              | \$               | -               | \$                | -                                                         | RDV/OI                |
| In Kind                                    | \$ | -              | \$               | -               | \$                | -                                                         | RDV/OI                |
| Total                                      |    |                |                  |                 | \$                | -                                                         |                       |
| <b>J. Healy</b>                            |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | -              | \$               | -               | \$                | -                                                         | RDV/OI                |
| In Kind                                    | \$ | -              | \$               | -               | \$                | -                                                         | RDV/OI                |
| Total                                      |    |                |                  |                 | \$                | -                                                         |                       |
| <b>Hennessey</b>                           |    |                |                  |                 |                   |                                                           |                       |
| Cash                                       | \$ | 53,185.50      | \$               | 5,720.00        | \$                | 58,905.50                                                 | 95%                   |
| In Kind                                    | \$ | 5,000.00       | \$               | -               | \$                | 5,000.00                                                  | 5%                    |
| Total                                      |    |                |                  |                 | \$                | 63,905.50                                                 |                       |
| <b>Total Contributions for Challengers</b> |    |                |                  |                 |                   |                                                           |                       |
|                                            |    |                |                  |                 | \$                | 274,869.06                                                | 27%                   |
| <b>Total Election Cycle Contributions</b>  |    |                |                  |                 |                   |                                                           |                       |
|                                            |    |                |                  |                 | \$                | 526,677.21                                                | 0%                    |

72%

84%

57%

59%

Total Other Incumbents  
 2011 \$ 155,607.80  
 2013 \$ 101,074.99  
 \$ 256,682.79 \$ 859,085.86

All Ginther Spendr Total  
 2011 \$ 611,218.84 \$ 1,032,979.93  
 2013 \$ 274,190.64 \$ 391,844.09  
 \$ 885,409.48 \$ 1,424,824.02  
 62%

Total Ginther In-kind to incumbents  
 2011 \$ 328,212.43  
 2013 \$ 274,190.64  
 \$ 602,403.07  
 \$ 278,714.22  
 \$ 1,483,320.36

Total Contributions for Incumbents  
 2011 \$ 187,547.00 \$ 58,667.22 \$ 246,214.22  
 2013 \$ 113,676.11 \$ 3,247.90 \$ 116,924.01  
 \$ 301,223.11 \$ 61,915.12 \$ 363,138.23  
 81%

## Campaign Contributions

### Total Contributions for Incumbents



FOR PAPER FILING ONLY  
Ohio Campaign Finance Report

FILED

11 OCT 27 PM 3: 27

Prescribed by Secretary of State 3/05

FRANKLIN COUNTY  
BOARD OF ELECTIONS

|                                                                                        |                                                                                                     |                                      |                             |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------|
| Full Name of Committee<br><b>Hearcel Craig for Council Committee</b>                   |                                                                                                     | Registration No.                     |                             |
| Full Name of Candidate<br><b>Hearcel Craig</b>                                         |                                                                                                     |                                      |                             |
| Street Address<br><b>550 E Walnut St</b>                                               |                                                                                                     | Office Sought<br><b>City Council</b> | District<br><b>Columbus</b> |
| City<br><b>Columbus</b>                                                                |                                                                                                     | State<br><b>O</b>                    | Zip Code<br><b>H 43215</b>  |
| Type of Report<br>(place X to the left of report type)                                 | Pre-Primary                                                                                         | Post-Primary                         | Pre-General                 |
|                                                                                        | July                                                                                                | August                               | September                   |
|                                                                                        | Monthly                                                                                             | Monthly                              | Monthly                     |
| Amended Report?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Report Electronically filed?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Date of Election                     | Termination                 |
|                                                                                        |                                                                                                     | M 1 1                                | D 0 8 Y 1 1                 |

For candidates only, during an election year; if total contributions and expenditures each total \$500 or less during the combined pre- and post-periods at one election, check box. No other forms are required at a post-primary or post-general period, if above statement applies. See R.C. 3517.10(H) for details.

|                                                                    |               |
|--------------------------------------------------------------------|---------------|
| 1. Amount brought forward from last report                         | \$ 35,359.42  |
| 2. Total monetary contributions (From Form No. 31-A)               | \$ 5,300.00   |
| 3. Total other income (From Form No. 31-A-2)                       | \$ 0.00       |
| 4. Total funds available (sum of lines 1, 2, 3)                    | \$ 40,659.42  |
| 5. Total monetary expenditures (From Form No. 31-B)                | \$ 24,344.88  |
| 6. Balance on hand (line 4 minus line 5)                           | \$ 16,314.54  |
| 7. Value of in-kind contributions received (From Form No. 31-J-1)  | \$ 112,386.75 |
| 8. Value of in-kind contributions made (From Form No. 31-J-2)      | \$            |
| 9. Outstanding loans owed by committee (From Form No. 31-G)        | \$            |
| 10. Outstanding debts owed by committee (From Form No. 31-N)       | \$            |
| 11. Outstanding loans owed to committee (From Form No. 31-K)       | \$            |
| 12. Value of independent expenditures made (From Form No. 31-D)    | \$            |
| 13. For Electronic Filing Entries only                             | \$            |
| Sum of lines 2, 7 and amount of any new loans received this period | \$            |

THE INFORMATION CONTAINED IN THIS REPORT IS MADE UNDER THE PENALTY OF ELECTION FALSIFICATION, WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Donald J. McTigue

Print Name and Title (Treasurer and Deputy Treasurer only)

Signature

10/26/2011

Date

|                       |
|-----------------------|
| Contribution<br>pages |
|-----------------------|

|                      |
|----------------------|
| Expenditure<br>pages |
|----------------------|

|                |
|----------------|
| Other<br>pages |
|----------------|

|                |   |
|----------------|---|
| Total<br>pages | 0 |
|----------------|---|



Sheet

| FIRST NAME | INITIAL | MIDDLE NAME | LAST NAME | SUFFIX | BUSINESS                         | ADDRESS                | CITY       | STATE | ZIP   | DATE OF EXPENDITURE | AMOUNT      | PURPOSE                 | ITEM NUMB | EVENT DATE | SCHEDULE CODE |
|------------|---------|-------------|-----------|--------|----------------------------------|------------------------|------------|-------|-------|---------------------|-------------|-------------------------|-----------|------------|---------------|
| Hearcel    |         |             | Craig     |        | McTigue & McGinnis, LLC          | 5944 Shana Dr          | Columbus   | OH    | 43215 | 08/08/2011          | \$300.00    | Legal Services          | 1254      |            | 31B           |
| Hearcel    |         |             | Craig     |        |                                  | 5944 Shana Dr          | Columbus   | OH    | 43232 | 08/09/2011          | \$82.39     | Telephone Reimbursement | 1255      |            | 31B           |
| Hearcel    |         |             | Craig     |        | McTigue & McGinnis, LLC          | 545 E Town Street      | Columbus   | OH    | 43215 | 08/09/2011          | \$89.33     | Telephone Reimbursement | 1256      |            | 31B           |
| Hearcel    |         |             | Craig     |        |                                  | 5944 Shana Dr          | Columbus   | OH    | 43215 | 08/12/2011          | \$300.00    | Legal Services          | 1257      |            | 31B           |
| Hearcel    |         |             | Craig     |        | Franklin County Democratic Party | 5944 Shana Dr          | Columbus   | OH    | 43232 | 08/23/2011          | \$85.98     | Telephone Reimbursement | 1258      |            | 31B           |
|            |         |             |           |        | Friends for Galtner              | 340 East Fulton Street | Columbus   | OH    | 43232 | 08/26/2011          | \$26.99     | Parking and Event Food  | 1259      |            | 31B           |
|            |         |             |           |        | McTigue & McGinnis, LLC          | 545 E Town Street      | Columbus   | OH    | 43215 | 09/06/2011          | \$500.00    | Assessment Fee          | 1260      |            | 31B           |
|            |         |             |           |        |                                  | 5944 Shana Dr          | Columbus   | OH    | 43215 | 09/13/2011          | \$20,000.00 | Contribution            | 1261      |            | 31B           |
|            |         |             |           |        |                                  | 5944 Shana Dr          | Columbus   | OH    | 43232 | 09/19/2011          | \$300.00    | Legal Services          | 1262      |            | 31B           |
|            |         |             |           |        |                                  | 1150 E Main Street     | Columbus   | OH    | 43232 | 09/19/2011          | \$86.29     | Telephone Reimbursement | 1263      |            | 31B           |
|            |         |             |           |        |                                  | 1282 Bluff Ave         | Columbus   | OH    | 43205 | 09/22/2011          | \$20.00     | Parking                 | 1264      |            | 31B           |
|            |         |             |           |        | Central Community House          | 2534 Commerce Blvd     | Cincinnati | OH    | 45241 | 10/06/2011          | \$50.00     | Event Tickets           | 1265      |            | 31B           |
|            |         |             |           |        | PCS Marketing Group, LLC         | 340 East Fulton Street | Columbus   | OH    | 43215 | 10/07/2011          | \$35.00     | Graphic Design          | 1266      |            | 31B           |
|            |         |             |           |        | Ohio Legislative Black Caucus    |                        |            |       |       |                     | \$2,193.90  | Printing                | 1267      |            | 31B           |
|            |         |             |           |        | Fire & Focus Scholarship Fund    | 1590 N High St, #400   | Columbus   | OH    | 43201 | 10/10/2011          | \$125.00    | Event Tickets           | 1268      |            | 31B           |
|            |         |             |           |        |                                  |                        |            |       |       |                     | \$150.00    | Event Tickets           | 1270      |            | 31B           |

\$24,344.88

Sheet 1

| FIRST NAME   | MIDDLE NAME | LAST NAME | SUFFIX | CONTRIBUTING ENTITY              | PAC REGISTRATION NUMBER | ADDRESS         | CITY     | STATE | ZIP       | EMPLOYER OR LABOR ORGANIZATION | FORM OF CONTRIBUTION | DATE OF CONTRIBUTION | AMOUNT       | INKIND DESCRIPTION | SCHEDULE CODE |
|--------------|-------------|-----------|--------|----------------------------------|-------------------------|-----------------|----------|-------|-----------|--------------------------------|----------------------|----------------------|--------------|--------------------|---------------|
|              |             |           |        | Franklin County Democratic Party |                         | 340 E Fulton St | Columbus | OH    | 43215 N/A |                                |                      | 07/12/2011           | \$497.46     | Photo for Mailer   | 3111          |
|              |             |           |        | Friends for Githler              |                         | 340 E Fulton St | Columbus | OH    | 43215 N/A |                                |                      | 09/30/2011           | \$3,567.78   | Mail Piece         | 3111          |
|              |             |           |        | Friends for Githler              |                         | 545 E Town St   | Columbus | OH    | 43215 N/A |                                |                      | 08/09/2011           | \$75.00      | Ad                 | 3111          |
|              |             |           |        | Friends for Githler              |                         | 545 E Town St   | Columbus | OH    | 43215 N/A |                                |                      | 10/11/2011           | \$1,450.00   | Consulting         | 3111          |
|              |             |           |        | Friends for Githler              |                         | 545 E Town St   | Columbus | OH    | 43215 N/A |                                |                      | 10/17/2011           | \$2,500.00   | Consulting         | 3111          |
|              |             |           |        | Friends for Githler              |                         | 545 E Town St   | Columbus | OH    | 43215 N/A |                                |                      | 10/19/2011           | \$104,296.51 | Media Buy          | 3111          |
| \$112,386.75 |             |           |        |                                  |                         |                 |          |       |           |                                |                      |                      |              |                    |               |



**Exhibit F: Dispatch Article about Black Male Seat for K. Boyce and  
importance of party loyalty and fundraising capacity in  
selection**

## Access World News

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## COUNCIL SEAT WARMED UP FOR BOYCE - APPARENT FRONT-RUNNER

[Hide Details](#)Columbus Dispatch, The (OH) - August 24, 2000 [Browse Issues](#)

Author/Byline: Mark Ferencik; Dispatch City Hall Reporter Edition: Home Final Section: NEWS Page: 01C

Readability: 11-12 grade level (Lexile: 1230)

Kevin L. Boyce, the chief of staff of the Democratic caucus in the Ohio House of Representatives, apparently has the inside track to fill a soon-to-be vacant seat on the Columbus City Council, say sources in City Hall.

Boyce, a 28-year-old who said he'd help draw younger voters to Democratic council tickets, is one of five candidates interviewed yesterday by council Democrats.

The Democrats' selection is expected to be announced today, with a vote by the full council Sept. 11.

The candidates are vying for the job of council member Frederick L. Ransier III, who has announced he'll leave the post when a replacement is found.

Boyce appears to have several things in his favor, not the least of which are his work for the party at the state and local level, his fund-raising capabilities and his Democratic voting record. The person chosen will run for election in 2001.

Boyce's prime competition appears to be Warren W. Tyler, 56, a politically connected businessman who leads Mayor Michael B. Coleman's Housing Task Force and was commerce director under former Gov. Richard F. Celeste. But Tyler's voting record as an independent works against him, sources say, even though he has raised money for Celeste and contributed to Democrats on the council.

"Can you campaign and raise money?" Tyler said he was asked. "I've never tried to raise money for myself."

The others interviewed were Jerry Saunders, president of the Columbus Recreation and Parks Commission; Fred K. Parker, president of the Columbus chapter of the National Association for the Advancement of Colored People; and Hearcel F. Craig, director of the AmeriCorps Community Safety Program within the Columbus Housing Partnership.

Council President Matt Habash would not say who has the inside track but said all five candidates had good interviews.

Democratic councilman Michael C. Mentel said he was undecided.

## Related Articles

- Municipal primary election results
- Municipal primary election results
- Bergen County 2010 municipal election profiles
- Bergen County 2010 municipal election profiles
- Both parties fill ballots for May 6 primary
- PRIMARY '92 Races in 20 local primaries run gamut...
- '98 Election A municipality-by-municipality election...
- Four Dems vie for two council seats
- How Democrats Lost The City Council Majority
- Robertson Out of the Running For City Council President...

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- Find more articles by Mark Ferencik; Dispatch City Hall Reporter
- Find more articles on page 01C

"It's a strong group of individuals with a strong passion to lead the city," he said.

Find all articles on August 24, 2000

Asked if voting records would play a part in his decision, Mentel said, "I'm looking at who the best people are."

Habash planned to speak individually last night with Mentel, as well as Democratic council members Maryellen O'Shaughnessy, Charleta B. Tavares and Richard W. Sensenbrenner, to see where they stand before announcing a decision today.

Twenty-one people had applied for **Ransier's** position. The application of one of those candidates -- a woman who was

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All five finalists are black. Traditionally, the seat held by **Ransier** has been held by a black man, and **council Democrats** in past years have chosen appointments to fit certain demographics.

Boyce was Tavares' campaign manager when she ran for Ohio secretary of state in 1998. He also was the primary fundraiser for the Ohio Legislative Black Caucus, for which he served as executive director from 1997 to 1999.

Saunders, 47, said he would work to bring various elements of the community together, specifically to improve the lives of children.

"Educating a child is more than just the schools," said Saunders, who said he is committed to the Democratic Party and working to clear what he said is an erroneous voting record that shows him as a Reform Party member.

Craig, 51, the former executive director of the Hilltop Civic Council who said he was encouraged by City Auditor Hugh Dorrian to run, said he would work to expand affordable housing and development -- especially in the central city. He also said he would propose initiatives to social-service agencies to provide academic-enrichment programs for students.

Parker, 44, said he wants to help the **council** forge better relations between the community and police.

Parker acknowledged his past activism and participation in protests against the police department.

"It's a risk," Parker said, but added, "The greater community understands my activism and the need for it."

Tyler said his diverse background would help him in the job. He is president of Warmarr Capital in Columbus. He also has been vice president of a bank, chairman of the Columbus Urban Growth Corp. and a commissioner of the Columbus Metropolitan Housing Authority.

Democrats chose **Ransier** over Boyce and Parker in December to replace Coleman on the **council** when he got the mayoral nod.



12/2/2016

Document: COUNCIL SEAT WARMED UP FOR BOYCE - APPARENT FRONT-RUNNER - Access World News

Of the council's Democrats, only O'Shaughnessy, who was elected to the council in 1997, was not appointed. Sensenbrenner was appointed in 1996 and retained his seat in the 1997 election. Tavares and Mentel were appointed in 1999 and won elections that year. Habash was appointed in 1993 and won elections in 1995 and 1999.

Council Democrats have traditionally met in private to appoint members. After The Dispatch challenged them to open yesterday's meeting to the public, Habash considered dividing the interviews, with three council members interviewing each candidate, then two members interviewing the same candidate, to avoid a quorum. The council has seven members.

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their choices.

So it was decided that all five council Democrats would interview each candidate together.

Melinda Swan, the council's chief of staff, said council members were concerned about discussing candidates in a public forum. "There's always a delicate balance between public discussion and privacy rights."

**Caption:** Photo(1) Kevin L. Boyce, 28, says he would appeal to younger voters. (2) Warren W. Tyler, 56, says his diverse background is a positive.

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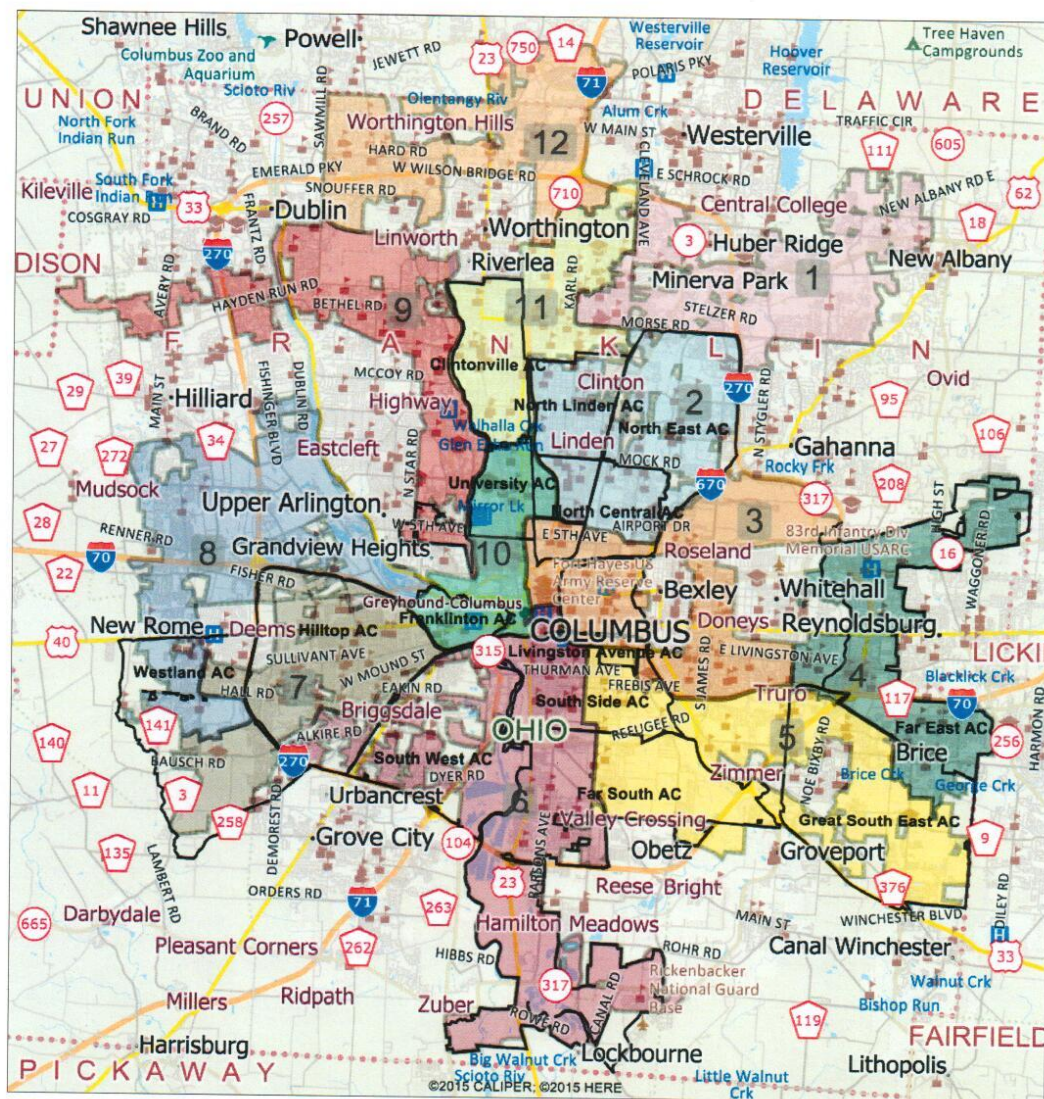
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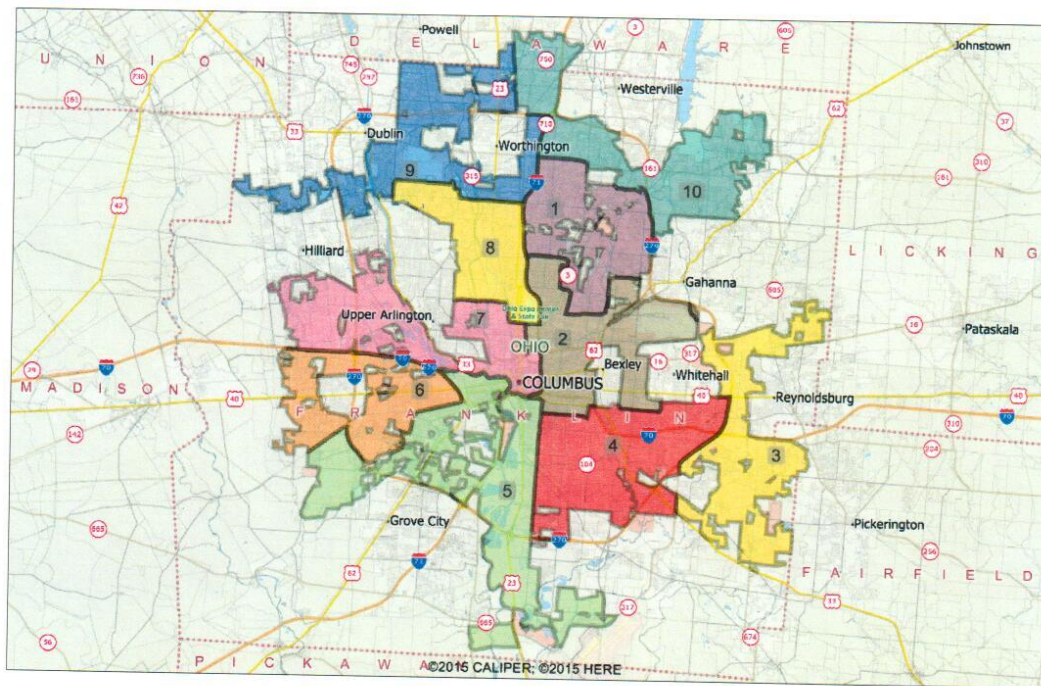
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**Exhibit G: Maps of Potential Council Districts Showing Majority Black Districts**



[illegible]

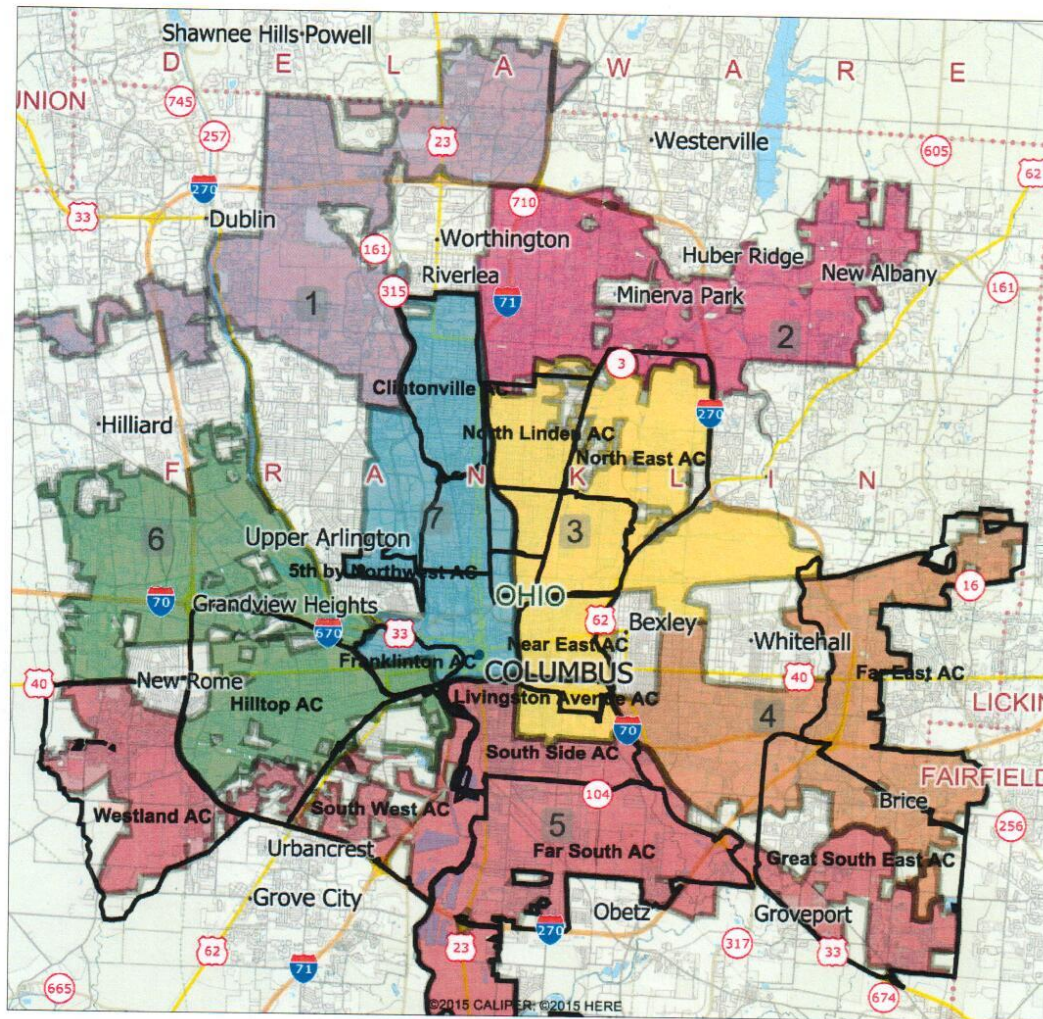






**Columbus City Council Districts**  
**10 District Demographics - B**

| District      | Land Area<br>Sq. Mi. | Population     | White          | Black          | Percent<br>Black | Am. Indian   | Asian         | Hawaiian   |
|---------------|----------------------|----------------|----------------|----------------|------------------|--------------|---------------|------------|
| 1             | 18.0                 | 83,516         | 31,671         | 43,547         | 52%              | 238          | 2,150         | 57         |
| 2             | 21.2                 | 75,411         | 21,381         | 48,527         | 64%              | 255          | 566           | 133        |
| 3             | 21.9                 | 76,949         | 39,299         | 31,377         | 41%              | 157          | 1,594         | 27         |
| 4             | 25.7                 | 77,089         | 31,059         | 39,666         | 51%              | 229          | 1,285         | 40         |
| 5             | 32.5                 | 76,773         | 59,663         | 11,118         | 14%              | 307          | 1,345         | 30         |
| 6             | 15.8                 | 70,788         | 48,919         | 11,555         | 16%              | 255          | 1,769         | 106        |
| 7             | 22.1                 | 84,292         | 66,564         | 7,761          | 9%               | 175          | 5,519         | 39         |
| 8             | 14.5                 | 78,315         | 65,858         | 3,209          | 4%               | 147          | 6,095         | 19         |
| 9             | 23.1                 | 80,075         | 63,184         | 5,487          | 7%               | 150          | 6,970         | 26         |
| 10            | 24.8                 | 87,127         | 59,634         | 17,540         | 20%              | 177          | 4,838         | 36         |
| <b>Totals</b> | <b>219.6</b>         | <b>790,335</b> | <b>487,232</b> | <b>219,787</b> |                  | <b>2,090</b> | <b>32,131</b> | <b>513</b> |



# 7 COLUMBUS CITY COUNCIL DISTRICTS Demographics and Household Composition October 24, 2016

| Council District | Area Sq. Mi. | 2010 Population | Mean District | Percent Deviation | 2010 Pop. White | 2010 Pop. Black | Percent Black | Am. Indian | Asian  | Hawaiian | Other |
|------------------|--------------|-----------------|---------------|-------------------|-----------------|-----------------|---------------|------------|--------|----------|-------|
| 1                | 31.1         | 113,998         | 112,429       | 1.4%              | 90,089          | 6,636           | 5.8%          | 192        | 11,357 | 37       | 2,547 |
| 2                | 27.5         | 112,046         | 112,429       | -0.3%             | 64,635          | 35,316          | 31.5%         | 304        | 3,996  | 70       | 3,649 |
| 3                | 30.6         | 111,914         | 112,429       | -0.5%             | 31,219          | 72,245          | 64.6%         | 347        | 1,275  | 143      | 2,556 |
| 4                | 28.7         | 113,408         | 112,429       | 0.9%              | 46,703          | 57,020          | 50.3%         | 274        | 2,153  | 67       | 3,045 |
| 5                | 56.8         | 114,905         | 112,429       | 2.2%              | 81,004          | 23,033          | 20.0%         | 353        | 2,054  | 27       | 4,467 |
| 6                | 32.1         | 114,796         | 112,429       | 2.1%              | 84,675          | 16,265          | 14.2%         | 368        | 4,474  | 147      | 4,791 |
| 7                | 21.3         | 108,545         | 112,429       | -3.5%             | 87,965          | 9,493           | 8.7%          | 262        | 6,734  | 24       | 1,459 |

## **Jonathan Beard: Public Comment**

From: Jonathan Beard [<mailto:jonbeard1964@gmail.com>]

Sent: Friday, December 16, 2016 10:34 PM

To: Charter

Subject: Public comment

Please see attached and add to the record, thank you.



## Attachment: History of Elections to Council 12-16-2016

### REVISITING OUR NONCOMPETITIVE AT LARGE FIELD ELECTIONS

Jonathan C. Beard

December 15, 2016

Bryan Clark, the leader of the successful, but factually-challenged “One Columbus” campaign in opposition to Issue 1, gave a presentation about competitiveness of different electoral systems, ending with his conclusion that at large field elections (with multiple candidates, like Columbus’s) are more competitive and he specifically stated the average winning margin was 5.2% over the past two election cycles.

Just like the Issue 1 campaign, Clark’s presentation was partially accurate, and vastly misleading. The winning vote margins are smaller simply because of math – they reflect the smaller percentages of votes as a percentage of all ballots cast for council (i.e., 3 or 4 ballots per voter), but the absolute vote margins may be identical.

In theory, in a head-to-head race, the winning candidate would receive 50% of the vote, plus one. In a field race for four seats where there are eight candidates and every voter gets four votes, a winning margin could be one vote more than 12.5% of the total votes cast.

In the 2015 election, Zach Klein received 18.18% of the vote, Liz Brown 17.55%, Mike Stinziano 17.44%, and Jaiza Page 15.07%. Dimitrious Stanley received 12.99%, John Rush 8.47%, Besmira Sarrah 5.22% and Ibrahima Sow 4.9%. While it may be tempting to claim that the margins of victory were small: that is, that the margin between lowest vote getting winner (Jaiza Page) and the top vote getting losing candidate (Dimitrious Stanley) is 3.8% (i.e., 15.07% – 12.99 %), and on down the line to the Page – Sow difference of 10.17% (her 15.07% share of the total vote to his 4.9%), that is an inaccurate and misleading analysis.

In reality the difference between Page and Stanley was 10,393 votes (her 75,223 votes to his 64,830 votes), which is a 16% margin of victory (i.e., equivalent to a 58% – 42% vote, which would not be deemed competitive in a head-to-head race). And on down the line, in fact the margin of victory of councilwoman Page over the challengers) were as follows:

- Page beat Dimitrious Stanley by 16% (75,223/64,830)
- Page beat John Rush by 78% (75,223/42,252)
- Page beat Besa Sharrah by 289% (75,223/26,029)
- Page beat Ibrahima Sow by 307% (75,223/24,471).

And the margins between winning and losing are even bigger when the higher vote getting winners are put into the mix. Also as shown in the Exhibit A spreadsheet, in the 2013 election, the margins of victory ranged from 164% to 261%, and in 2011, the margins of victory ranged from 128% to 298%. They are nowhere near the 5.2% cited by Clark in his presentation. In short, far from what was claimed in Mr. Clark’s presentation – where the margins for at large field elections were apparently described as percentages of the total vote – Columbus elections are non-competitive, blowout elections where most of the losing candidates are nowhere close to gaining a seat.

## **UNDERVOTING IN COLUMBUS AT LARGE ELECTIONS**

**(See Exhibit A spreadsheet and Board of Election vote tallies)**

Perhaps the biggest question about the at large field elections is the number and percentage of people who cast a Columbus ballot, but do not vote for all councilmembers - "undervotes."

In the 2015 General Election, the number of net undervotes (198,052) was 40% of the number of votes cast for the candidates (499,112) in the 8 person field race, and the number of net undervotes (59,442) was 52% of all votes cast (113,489) in the head-to-head race for the unexpired term. The number of undervotes (198,052) received more than the number of votes of the leading candidate (Zach Klein, with 90,716) – meaning more people chose no one, than chose any one of the vote-getting candidates. Because of this, only two winning candidates received votes from more than 50% of the voters (Zach Klein – 52% and Elizabeth Brown 50.2%). The other two winning candidates received less than 50% of the voters' votes (Jaiza Page - 43.1% and Michael Stinziano - 49.9%).

In the 2013 General Election there were 61,850 undervotes and 203,984 votes cast for the six candidates (30%), and in the 2011 General Election there were 243,421 net undervotes and 516,089 votes cast for the 8 candidates on the ballot. Just one of the three winning candidates (Priscilla Tyson) got more than 50% of voters to push a button for her, as Eileen Paley got 49.9% and Troy Miller got 48.9%.

In the 2011 election where undervotes were 47% of the number of votes cast for council candidates, not a single elected council member received the votes of more than half the voters (Michelle Mills – 49.7%, Andrew Ginther – 46.5%, Zach Klein – 43.7%, and Hearcel Craig – 38.8%).

### **So why is there such a high amount of undervoting when everybody's name is on the screen?**

Our voting screens show each candidate's name and voters skip past them and do not push the button. In our citywide elections, where there is no reason to believe voters know the candidates, it is reasonable to believe that a fair number of voters don't know anything about the candidates in these citywide elections and simply don't vote for people they don't know.

Many voters will vote the party slate card without any knowledge of candidates – indeed, that is what each of the political parties bank on – and it is quite likely that many people simply vote the party slate (endorsement) card simply presuming they know something about the candidate based on the national brand of the endorsing party.

If that is so, what is the point of having at large field elections where so many voters don't know enough about who is on the ballot to cast a vote for them? The rationale of being able to vote for everyone who can impose a tax on each voter is interesting, but the reality is that many people don't know enough about the candidates to feel comfortable casting votes, and the majority of those elected are elected without a majority in a situation where securing a majority for election should mathematically be the norm.



## MARGINS OF VICTORY

|                              |         |                   | Vote<br>Differential         | Percent<br>Loss |                |
|------------------------------|---------|-------------------|------------------------------|-----------------|----------------|
| <b>2015 GENERAL ELECTION</b> |         |                   | <b>Mayor-eligible voters</b> |                 | <b>174,386</b> |
| E. Brown                     | 87,619  | 17.55%            |                              |                 | 50.2%          |
| Z. Klein                     | 90,716  | 18.18%            |                              |                 | 52.0%          |
| J. Page                      | 75,223  | 15.07%            |                              |                 | 43.1%          |
| J. Rush                      | 42,252  | 8.47%             | 32,971                       | 178%            |                |
| B. Sharrah                   | 26,029  | 5.22%             | 49,194                       | 289%            |                |
| I. Sow                       | 24,471  | 4.90%             | 50,752                       | 307%            |                |
| D. Stanley                   | 64,830  | 12.99%            | 10,393                       | 116%            |                |
| M. Stinziano                 | 87,048  | 17.44%            |                              |                 | 49.9%          |
| Writein                      | 924     | 0.19%             |                              |                 |                |
|                              | 499,112 | 100%              |                              |                 |                |
| Net Undervotes               | 198,052 | 40% of votes cast |                              |                 |                |
| S. Hardin                    | 80,650  | 71.06%            |                              |                 |                |
| A. Wenk                      | 32,839  | 28.94%            | 47,811                       | 246%            | 46.2%          |
|                              | 113,489 |                   |                              |                 |                |
| Net Undervotes               | 59,442  | 52% of votes      |                              |                 | 34%            |
| <b>2013 GENERAL ELECTION</b> |         |                   | <b>Estimated city voters</b> |                 | <b>88,611</b>  |
|                              |         |                   |                              |                 | 3              |
| B. Bainbridge                | 24,746  | 12.13%            | 18,596                       | 175%            |                |
| G. Lawson                    | 26,475  | 12.98%            | 16,867                       | 164%            |                |
| A.T. Miller                  | 43,342  | 21.25%            |                              |                 | 48.9%          |
| E. Paley                     | 44,245  | 21.69%            |                              |                 | 49.9%          |
| N. Schneider                 | 16,601  | 8.14%             | 26,741                       | 261%            |                |
| P. Tyson                     | 48,251  | 23.65%            |                              |                 | 54.5%          |
| Write-In                     | 324     | 0.16%             | 43,018                       |                 |                |
|                              | 203,984 | 100.00%           |                              |                 |                |
| Net Undervotes               | 61,850  | 30% of votes      |                              |                 |                |
| Eligible Votes               | 265,834 |                   |                              |                 |                |
| Positions                    | 3       |                   |                              |                 |                |
| Estimated No. Voters         | 88,611  |                   |                              |                 |                |
| <b>2011 GENERAL ELECTION</b> |         |                   | <b>Mayor-eligible voters</b> |                 | <b>191,320</b> |
| r. Bridges                   | 24,850  | 4.82%             | 49,306                       | 150%            |                |
| H. Craig                     | 74,156  | 14.37%            |                              |                 | 38.8%          |
| M. Ferris                    | 57,952  | 11.23%            | 16,204                       | 458%            |                |
| A. Gnither                   | 88,887  | 17.22%            |                              |                 | 46.5%          |
| D. Hennessy                  | 55,513  | 10.76%            | 18,643                       | 398%            |                |
| Z. Klein                     | 83,552  | 16.19%            |                              |                 | 43.7%          |
| M. Mills                     | 95,042  | 18.42%            |                              |                 | 49.7%          |
| M. Noble                     | 34,853  | 6.75%             | 39,303                       | 189%            |                |
| Write in                     | 1,284   | 0.25%             |                              |                 |                |
|                              | 516,089 | 100.00%           |                              |                 |                |
| Net undervotes               | 243,421 | 47%               |                              |                 |                |

9 of 12 winning candidates did not receive 1/2 the votes of eligible voters 2011-2015.

Lowest winner



Franklin County Only

Franklin County, Ohio  
General Election  
November 3, 2015

Official Results

Run Date: 11/23/15 08:31 AM

Report EL45 Page 002

## VOTES PERCENT

For Judge of Municipal Court - FTC 1-5-2016  
(Vote for not more than ) 1  
(WITH 1094 OF 1094 PRECINCTS COUNTED)  
Cynthia Ebner . . . . . 112,949 56.26  
Carrie Glaeden . . . . . 87,805 43.74  
Over Votes . . . . . 13  
Under Votes . . . . . 104,488

For Judge of Municipal Court - FTC 1-6-2016  
(Vote for not more than ) 1  
(WITH 1094 OF 1094 PRECINCTS COUNTED)  
Tony Paat . . . . . 83,390 39.94  
Eileen Paley . . . . . 110,924 53.13  
Eddie Pfau . . . . . 14,456 6.92  
Over Votes . . . . . 24  
Under Votes . . . . . 96,461

For Judge of Municipal Court - FTC 1-7-2016  
(Vote for not more than ) 1  
(WITH 1094 OF 1094 PRECINCTS COUNTED)  
Jim O'Grady . . . . . 160,510 100.00  
Over Votes . . . . . 0  
Under Votes . . . . . 144,745

For Judge of Municipal Court - FTC 1-9-2016  
(Vote for not more than ) 1  
(WITH 1094 OF 1094 PRECINCTS COUNTED)  
David Tyack . . . . . 153,091 100.00  
Over Votes . . . . . 0  
Under Votes . . . . . 152,164

For Judge of Municipal Court - Environmental Division  
FTC 1-8-2016  
(Vote for not more than ) 1  
(WITH 1094 OF 1094 PRECINCTS COUNTED)  
Dan Hawkins . . . . . 138,478 100.00  
Over Votes . . . . . 0  
Under Votes . . . . . 166,777

For Judge of Municipal Court - UTE 1-1-2018  
(Vote for not more than ) 1  
(WITH 1094 OF 1094 PRECINCTS COUNTED)  
Sean McCarthy . . . . . 96,967 48.53  
Cindi Morehart . . . . . 102,848 51.47  
Over Votes . . . . . 27  
Under Votes . . . . . 105,413

For Mayor - City of Bexley  
(Vote for not more than ) 1  
(WITH 10 OF 10 PRECINCTS COUNTED)  
Ben Kessler . . . . . 4,005 100.00  
Over Votes . . . . . 0  
Under Votes . . . . . 752

## VOTES PERCENT

For Member of Council - City of Bexley  
(Vote for not more than ) 4  
(WITH 10 OF 10 PRECINCTS COUNTED)  
Mary M. Gottesman . . . . . 2,313 18.50  
Steve Keyes . . . . . 2,883 23.06  
Tim Madison . . . . . 3,180 25.43  
Troy D. Markham . . . . . 2,210 17.67  
Ian Nickey . . . . . 1,918 15.34  
Over Votes . . . . . 0  
Under Votes . . . . . 6,524

For Mayor - City of Canal Winchester  
(Vote for not more than ) 1  
(WITH 6 OF 6 PRECINCTS COUNTED)  
Mike Ebert . . . . . 1,827  
Candidate Withdrawn . . . . . 0  
Over Votes . . . . . 0  
Under Votes . . . . . 236

For Member of Council - City of Canal Winchester  
(Vote for not more than ) 3  
(WITH 6 OF 6 PRECINCTS COUNTED)  
Bob Clark . . . . . 1,039 21.20  
Rick Deeds . . . . . 930 18.98  
Bruce Jarvis . . . . . 1,012 20.65  
Tim Waibel . . . . . 888 18.12  
Mike Walker . . . . . 1,032 21.06  
Over Votes . . . . . 0  
Under Votes . . . . . 2,158

For Mayor - City of Columbus  
(Vote for not more than ) 1  
(WITH 717 OF 717 PRECINCTS COUNTED)  
Andrew J. Ginther . . . . . 94,108 58.95  
Zach Scott . . . . . 63,877 40.01  
WRITE IN . . . . . 1,661 1.04  
Over Votes . . . . . 3  
Under Votes . . . . . 14,740

For Member of Council - City of Columbus  
(Vote for not more than ) 4  
(WITH 717 OF 717 PRECINCTS COUNTED)  
Elizabeth C. Brown . . . . . 87,619 17.55  
Zach Klein . . . . . 90,716 18.18  
Jaiza Page . . . . . 75,223 15.07  
John Rush . . . . . 42,252 8.47  
Besmira Sharrah . . . . . 26,029 5.22  
Ibrahima Sow . . . . . 24,471 4.90  
Dimitrios Stanley . . . . . 64,830 12.99  
Michael Stinziano . . . . . 87,048 17.44  
WRITE IN . . . . . 924 .19  
Over Votes . . . . . 196  
Under Votes . . . . . 198,248

Franklin County

General Election  
Franklin County, Ohio  
November 5, 2013

\*\*\*Official Canvass\*\*\*

Run Date:11/25/13 08:47 AM

Report EL45 Page 002

## VOTES PERCENT

For Member of Council - City of Canal Winchester

Vote for not more than 4

(WITH 6 OF 6 PRECINCTS COUNTED)

|                               |     |       |
|-------------------------------|-----|-------|
| Candidate Withdrawn . . . . . | 254 | 9.75  |
| Will Bennett . . . . .        | 518 | 19.88 |
| Steve Donahue . . . . .       | 636 | 24.41 |
| Bobbie Mershon . . . . .      | 543 | 20.84 |
| Jim Wynkoop . . . . .         | 655 | 25.13 |
| Over Votes . . . . .          | 0   |       |
| Under Votes . . . . .         | 962 |       |

For Auditor - City of Columbus

Vote for not more than 1

(WITH 698 OF 698 PRECINCTS COUNTED)

|                           |        |       |
|---------------------------|--------|-------|
| Hugh J. Dorrian . . . . . | 64,335 | 88.40 |
| Igor Ternovsky . . . . .  | 8,201  | 11.27 |
| WRITE-IN . . . . .        | 238    | .33   |
| Over Votes . . . . .      | 1      |       |
| Under Votes . . . . .     | 15,855 |       |

For City Attorney - City of Columbus

Vote for not more than 1

(WITH 698 OF 698 PRECINCTS COUNTED)

|                                  |        |       |
|----------------------------------|--------|-------|
| Richard C. Pfeiffer, Jr. . . . . | 66,270 | 99.58 |
| WRITE-IN . . . . .               | 280    | .42   |
| Over Votes . . . . .             | 0      |       |
| Under Votes . . . . .            | 22,080 |       |

For Member of Council - City of Columbus

Vote for not more than 3

(WITH 698 OF 698 PRECINCTS COUNTED)

|                              |        |       |
|------------------------------|--------|-------|
| Brian Bainbridge . . . . .   | 24,746 | 12.13 |
| Greg Lawson . . . . .        | 26,475 | 12.98 |
| A. Troy Miller . . . . .     | 43,342 | 21.25 |
| Eileen Paley . . . . .       | 44,245 | 21.69 |
| Nick Schneider . . . . .     | 16,601 | 8.14  |
| Priscilla R. Tyson . . . . . | 48,251 | 23.65 |
| WRITE-IN . . . . .           | 326    | .16   |
| Over Votes . . . . .         | 27     |       |
| Under Votes . . . . .        | 61,877 |       |

For Member of Council - City of Dublin - Ward 1

Vote for not more than 1

(WITH 8 OF 8 PRECINCTS COUNTED)

|                                  |     |       |
|----------------------------------|-----|-------|
| Christine L. Gawronski . . . . . | 344 | 29.38 |
| Julie Hubler . . . . .           | 270 | 23.06 |
| Gregory S. Peterson . . . . .    | 533 | 45.52 |
| Candidate Withdrawn . . . . .    | 24  | 2.05  |
| Over Votes . . . . .             | 1   |       |
| Under Votes . . . . .            | 49  |       |

## VOTES PERCENT

For Member of Council - City of Dublin - Ward 2

Vote for not more than 1

(WITH 14 OF 14 PRECINCTS COUNTED)

|                       |     |       |
|-----------------------|-----|-------|
| Kari Hertel . . . . . | 488 | 46.39 |
| Any Salay . . . . .   | 564 | 53.61 |
| Over Votes . . . . .  | 0   |       |
| Under Votes . . . . . | 50  |       |

For Member of Council - City of Dublin - Ward 3

Vote for not more than 1

(WITH 3 OF 3 PRECINCTS COUNTED)

|                           |     |       |
|---------------------------|-----|-------|
| John G. Reiner . . . . .  | 374 | 57.01 |
| Kevin P. Walter . . . . . | 282 | 42.99 |
| Over Votes . . . . .      | 0   |       |
| Under Votes . . . . .     | 47  |       |

For Member of Council - City of Dublin - Ward 4

Vote for not more than 1

(WITH 6 OF 6 PRECINCTS COUNTED)

|                         |     |       |
|-------------------------|-----|-------|
| Kevin Cooper . . . . .  | 137 | 13.60 |
| JD Kaplan . . . . .     | 374 | 37.14 |
| Tim Lecklider . . . . . | 496 | 49.26 |
| Over Votes . . . . .    | 0   |       |
| Under Votes . . . . .   | 23  |       |

For Member of Council - City of Gahanna - Ward 1

Vote for not more than 1

(WITH 8 OF 8 PRECINCTS COUNTED)

|                             |     |       |
|-----------------------------|-----|-------|
| Ray Kautz . . . . .         | 649 | 41.90 |
| Stephen A. Renner . . . . . | 900 | 58.10 |
| Over Votes . . . . .        | 0   |       |
| Under Votes . . . . .       | 315 |       |

For Member of Council - City of Gahanna - Ward 2

Vote for not more than 1

(WITH 10 OF 10 PRECINCTS COUNTED)

|                             |       |       |
|-----------------------------|-------|-------|
| Michael Schnetzer . . . . . | 1,300 | 70.27 |
| Brandon Wright . . . . .    | 550   | 29.73 |
| Over Votes . . . . .        | 1     |       |
| Under Votes . . . . .       | 315   |       |

For Member of Council - City of Gahanna - Ward 3

Vote for not more than 1

(WITH 9 OF 9 PRECINCTS COUNTED)

|                              |       |       |
|------------------------------|-------|-------|
| Ryan Patrick Demro . . . . . | 832   | 43.38 |
| Brian Larick . . . . .       | 1,086 | 56.62 |
| Over Votes . . . . .         | 0     |       |
| Under Votes . . . . .        | 258   |       |



(WITH 1184 OF 1184 PRECINCTS COUNTED)

|                         |         |       |
|-------------------------|---------|-------|
| Angela White . . . . .  | 87,751  | 34.22 |
| Lori M. Tyack . . . . . | 168,709 | 65.78 |
| Over Votes . . . . .    | 25      |       |
| Under Votes . . . . .   | 82,564  |       |

For Mayor CITY OF BEXLEY  
Vote For Not More Than 1  
(WITH 10 OF 10 PRECINCTS COUNTED)

|                              |       |       |
|------------------------------|-------|-------|
| John M. Brennan . . . . .    | 3,527 | 66.91 |
| Larry Heiser . . . . .       | 1,563 | 29.65 |
| Alexander Liderman . . . . . | 181   | 3.43  |
| Over Votes . . . . .         | 2     |       |
| Under Votes . . . . .        | 317   |       |

For Member of Council CITY OF BEXLEY  
Vote For Not More Than 4  
(WITH 10 OF 10 PRECINCTS COUNTED)

|                         |       |       |
|-------------------------|-------|-------|
| Ben Kessler. . . . .    | 3,684 | 23.72 |
| Steve Keyes. . . . .    | 3,078 | 19.82 |
| Tim Madison. . . . .    | 3,505 | 22.56 |
| Mark R. Masser. . . . . | 2,687 | 17.30 |
| Jan W. Zupnick. . . . . | 2,579 | 16.60 |
| Over Votes . . . . .    | 8     |       |
| Under Votes . . . . .   | 6,819 |       |

For Mayor CITY OF CANAL WINCHESTER  
Vote For Not More Than 1  
(WITH 7 OF 7 PRECINCTS COUNTED)

|                       |       |       |
|-----------------------|-------|-------|
| John Bender. . . . .  | 814   | 25.45 |
| Mike Ebert . . . . .  | 2,384 | 74.55 |
| Over Votes . . . . .  | 0     |       |
| Under Votes . . . . . | 177   |       |

For Member of Council CITY OF CANAL WINCHESTER  
Vote For Not More Than 3  
(WITH 7 OF 7 PRECINCTS COUNTED)

|                                  |       |       |
|----------------------------------|-------|-------|
| Joe Abbott . . . . .             | 1,961 | 27.06 |
| Rick Deeds . . . . .             | 1,490 | 20.56 |
| Patrick Lynch . . . . .          | 1,183 | 16.33 |
| Marilyn Rush-Ekelberry . . . . . | 1,364 | 18.82 |
| James H. Wynkoop . . . . .       | 1,248 | 17.22 |
| Over Votes . . . . .             | 6     |       |
| Under Votes . . . . .            | 2,632 |       |

For Mayor CITY OF COLUMBUS  
Vote For Not More Than 1  
(WITH 759 OF 759 PRECINCTS COUNTED)

|                              |         |       |
|------------------------------|---------|-------|
| Michael B. Coleman . . . . . | 127,651 | 69.92 |
| Earl Smith . . . . .         | 54,092  | 29.63 |
| WRITE-IN. . . . .            | 814     | .45   |
| Over Votes . . . . .         | 8       |       |
| Under Votes . . . . .        | 8,771   |       |

For Member of Council CITY OF COLUMBUS  
Vote For Not More Than 4  
(WITH 759 OF 759 PRECINCTS COUNTED)

2011

|                                |         |       |
|--------------------------------|---------|-------|
| Robert F. Bridges, Jr. . . . . | 24,850  | 4.82  |
| Hearcel F. Craig . . . . .     | 74,156  | 14.37 |
| Matt Ferris. . . . .           | 57,952  | 11.23 |
| Andrew J. Ginther. . . . .     | 88,887  | 17.22 |
| Daryl Hennessy. . . . .        | 55,513  | 10.76 |
| Zach M. Klein . . . . .        | 83,552  | 16.19 |
| Michelle M. Mills. . . . .     | 95,042  | 18.42 |
| Mark Noble . . . . .           | 34,853  | 6.75  |
| WRITE-IN. . . . .              | 1,284   | .25   |
| Over Votes . . . . .           | 280     |       |
| Under Votes . . . . .          | 243,651 |       |

For Member of Council-At-Large CITY OF DUBLIN

Vote For Not More Than 3

(WITH 36 OF 36 PRECINCTS COUNTED)

|                                     |        |       |
|-------------------------------------|--------|-------|
| Marilee Chinnici Zuercher . . . . . | 6,986  | 24.92 |
| Richard S. Gerber. . . . .          | 7,199  | 25.68 |
| Michael H. Keenan. . . . .          | 7,812  | 27.87 |
| Kevin P. Walter . . . . .           | 6,034  | 21.53 |
| Over Votes . . . . .                | 3      |       |
| Under Votes . . . . .               | 15,424 |       |

For Mayor CITY OF GAHANNA

Vote For Not More Than 1

(WITH 36 OF 36 PRECINCTS COUNTED)

|                            |       |       |
|----------------------------|-------|-------|
| Jim McGregor . . . . .     | 6,025 | 48.68 |
| Becky Stinchcomb . . . . . | 6,351 | 51.32 |
| Over Votes . . . . .       | 1     |       |
| Under Votes . . . . .      | 921   |       |

For City Attorney CITY OF GAHANNA

Vote For Not More Than 1

(WITH 36 OF 36 PRECINCTS COUNTED)

|                         |       |       |
|-------------------------|-------|-------|
| Shane W. Ewald. . . . . | 5,117 | 52.44 |
| Paul Leithart . . . . . | 4,641 | 47.56 |
| Over Votes . . . . .    | 4     |       |
| Under Votes . . . . .   | 3,536 |       |

For Member of Council-At-Large CITY OF GAHANNA

Vote For Not More Than 3

(WITH 36 OF 36 PRECINCTS COUNTED)

|                            |        |       |
|----------------------------|--------|-------|
| Karen J. Angelou . . . . . | 6,634  | 28.85 |
| Ryan P. Jolley. . . . .    | 6,544  | 28.46 |
| Ray Kautz . . . . .        | 3,837  | 16.69 |
| David Samuel . . . . .     | 5,977  | 26.00 |
| Over Votes . . . . .       | 0      |       |
| Under Votes . . . . .      | 16,902 |       |

For Member of Council GAHANNA WARD 1

Vote For Not More Than 1

(WITH 8 OF 8 PRECINCTS COUNTED)

|                            |       |       |
|----------------------------|-------|-------|
| Mark Foster. . . . .       | 981   | 45.35 |
| Stephen A. Renner. . . . . | 1,182 | 54.65 |
| Over Votes . . . . .       | 0     |       |
| Under Votes . . . . .      | 948   |       |

For Member of Council GAHANNA WARD 2

## **Jonathan Beard: Public Testimony**

**From:** Jonathan Beard [<mailto:jonbeard1964@gmail.com>]

**Sent:** Friday, December 16, 2016 11:16 PM

**To:** Charter

**Subject:** Public testimony

Please see my intended written testimony from last night. Thank you.

## **Attachment: Testimony**

### **Written Testimony of Jonathan C. Beard to the 2016 Columbus Charter Review Committee (December 15, 2016)**

#### **Greetings ...**

1. I submitted some charts and tables on-line this afternoon which you probably haven't yet received, but I want to talk about as I start by sharing some information and correct the record. On October 18<sup>th</sup> you heard a presentation saying at large field elections were competitive and the average margin between the highest "vote getting loser" and the lowest "vote getting winner" was 5.2% over the last two Columbus city council elections.
2. That didn't sound right then, so I went back and checked, and it was not right –it was very wrong. I looked up election results and pulled together a spreadsheet with those numbers and submitted them on-line along with the BoE vote tallies:
3. In last year's elections, the winning actual vote margins (i.e., the percentage by which the lowest winner, Jaiza Page, beat the nonwinners) were by 116%, 148%, 178% and 309%.
4. In 2013, the winning vote margin (Troy Miller over the challengers) were 164%, 175%, and 271% .
5. In 2011, the winning vote margins were 128%, 134%, 213% and 298%.
6. Why are the races that noncompetitive? – It may be because campaign money follows the winners, and challengers don't have the money to reach voters citywide, so nobody knows who they are.

- a. In 2013, challengers raised less than \$17,000, while incumbents raised \$375,000. If a stamp costs 39 cents, challengers could mail a single letter to just about 10% of the Columbus electorate.
  - b. In 2011, challengers raised \$275,000, but incumbents raised \$758,000.
  - c. But the incumbents themselves are not raising the money – most of it is being distributed back to them by in-kind spending on their behalf by the party or the council president, which provided 53% of incumbent campaign spending in 2009, 73% of incumbent spending in the 2011 election, and 70% of all incumbent spending in 2013.
  - d. Even the incumbents can't raise enough money for their own elections -- so how can we expect challengers to mount a credible campaign?
7. But just as important, when you look at the undervoting – votes that were not cast – “None of the Above” came in first place last year, with 198,052 non votes, compared to the highest candidate (Zach Klein) who had 90,716 votes. Voters were twice as likely to not vote for all candidates they could select from, then to vote for the winning candidate.
8. And because of the high rate of undervoting – which was 40% of the nearly 500,000 votes cast for council last year -- only 3 of 12 winning candidates dating back to 2011 actually got a vote from the majority of people who cast ballots in council races. Last year (2015), 2 members elected received votes from a majority, and 2 didn't. In 2013, 1 got a majority and 2 didn't. In the 2011 election, not a single one of the four elected candidates received a majority vote.
9. So people are not crazy in love with our candidates—people probably don't really know the candidates and many are (thankfully) reluctant to use the party slate cards passed out at the polls – preferring to think for themselves, rather than let party insiders pick their selections.



10. This committee is considering dealing with the appointment issue -- where only 4 of the last 32 council members have gained their seat by election -- I submitted on-line a chart tracking the members of council seat, noting when they were first elected or appointed, back to 1985.
11. The record shows that every one of the Black Democrats was initially appointed to their seat, and then -- as the campaign finance reports show -- they were kept in office by the council president's largesse. In contrast, three White candidates and a Black Republican (Jeanette Bradley, Peggy Fisher, Mary Ellen O'Shaughnessey, and Elizabeth Brown) have gained their seats by election over that time period.
12. So we have a system where Black Democrats must wait around faithfully seeking appointment -- and many who could be leaders wait around and never get selected -- and once appointed owe their continued political life to the person -- the council president -- who led the appointment process because they need his money.
13. In 2011, the council president provided 75% of councilwoman Michelle Mill's campaign and 90% of councilman Hearcel Craig's campaign. In 2013, 72% of councilwoman Priscilla Tyson's campaign and 90% of councilman Troy Miller's campaigns were funded by the council president. Instead of having loyalty to the people of Columbus, our councilmembers have loyalty to the party bosses and other politicians, and there is something grossly wrong about that picture.
14. I have to think that is why in October, when citizens came to council to talk about shootings of unarmed Black men and boys in Columbus, once the council president ran away out the back door, shamefully, the Black members of council ran away with him. It was more important to show solidarity with the council president and his appointment role and campaign money, than to stand with, and listen to, the people who were

coming down to express the community's pain and who were again asking for help.

15. Should councilmembers be full-time? No. The role of a representative body is to be intimately familiar with the people they represent – not to draw people out of the population and set them apart and give them special privileges over us. If the workload is too heavy – share it – our council is too small, which has been recognized since the mid-1950s and reiterated by council member M.D. Portman in 1991, which was quoted in Fact Sheets I submitted to this committee on-line.
16. Maury Portman, our city's longest serving councilmember, said "the council is going through the motions of trying to represent all of the city ... I think the city has just grown too big to be represented by seven members. With the annexation of a chunk of southern Delaware County, the city is even bigger ... seven council members for almost 700,000 people is ludicrous. We're out of date."
17. So add members to council for sure. But not members who run in citywide elections. Because of the expense and difficulty of running citywide elections, we have only fielded enough candidates for primary elections in 14 of the last 25 election cycles.
18. Individuals and the parties are making decisions not to run candidates based on expense and likelihood of success. We are losing people who want to step up and lead, simply because our system is broken by design. When Mr. Rosenberger keeps asking how do we get the best candidates in office, certainly the appointment process is not the way – it rewards the loyal and those connected to money as shown in a Dispatch article from 2000 covering the appointment of a successor to Fred Ransier (a Black man, who was himself appointed after Mike Coleman, a Black man, left office – who was himself appointed to the seat left by Ben Espy, a Black man who left office ... ). The Dispatch single article addressed so many of the

appointment issues, saying “Boyce appears to have several things in his favor, not the least of which are his work for the party at the state and local level, his fund-raising capabilities and his Democratic voting record.”

Candidate Warren Tyler says he was asked “Can you campaign and raise money.” The article goes on to say “All the finalists are black. Traditionally, the seat held by Ransier has been held by a black man, and council Democrats in past years have chosen appointment to fit certain demographics.” (“Council Seat Warmed for Boyce – Apparent Front-Runner.” Columbus Dispatch, August 24, 2000. Certainly Columbus residents deserve a better consideration of candidates other than hand-picked by race, party loyalty, and ability to raise money.

19. Columbus now has a Democratic electorate, and that is unlikely to change. Black Democrats haven’t shown they can get initially elected to council or that they afford to keep the citywide seats they are given when they are appointed. So change isn’t going to come from the Democratic Party – because in handpicking our representatives and then winning those seats and having Democrats hold all that power, corporate and politician campaign money flows to the party.

20. I’m an elected Franklin County Democrat Party Central Committee member. This spring I ran for and won election to the Ward 55 seat, hoping to be a voice for change from within. It probably goes without saying that I was not the party-endorsed candidate for the seat – but I won. I see the money and power game within the party – we have here a system where party operatives file baseless election complaints against citizens circulating sample ballots in an effort to retain party control of our elections -- and though I have been a lifelong Democrat, I am sickened by it.

21. I am Black before I am a Democrat, and I am ashamed of the party for selling out Black Columbus to cling to money and power. If the party was indeed for the people, it would have continued to support a council with a majority elected by district, as it did in the 1950s (and as every other big

city does) – it would not support an at large voting system that the NAACP Legal Defense Fund calls “discriminatory,” with the only question being whether it is unlawfully discriminatory, which fact can only be decided by a judge.

22. Everything is connected. Black folk on council are all appointed. But if you eliminate the appointment process, then you will likely have no Black faces on council to presumably represent Black citizens.

23. So if you change the appointment process, then you have to change the format of council—create non-discriminatory election methods like districts or aggressive campaign financing.

24. Change won’t come from the party in power and it won’t come from the politicians, it has to come from the citizens. Frederick Douglass said “power concedes nothing without a demand. It never has. It never will.”

25. You are citizens drawn from the populace and can have a critical role with a real voice. The people of Columbus are ahead of the politicians, but are being yoked. Fifteen years ago a group filed a petition to seeking to enact caps on contributions to city campaigns (note: in 1994 voters overwhelmingly passed a charter amendment to allow caps, but council never enacted legislation to put caps on themselves in place. There are caps at the federal and state levels. In 2012 and again in 2014 tens of thousands of signatures were gathered on petitions to enact real campaign finance controls, but council was able to skirt the issue through challenges to the petition format). Power put you in a position to recommend change. You don’t have authority to make change, but through the issuance of a report people are waiting to see, you do have a commanding moral authority, should you choose to summon it.

26. Our current system doesn’t have one or two problems – it has a litany of problems. It is not unlike electoral systems anywhere else in the nation. It

is not surprising that no one shows up for these meetings. This is just as interesting to most people as 11<sup>th</sup> grade civics class was. To most people, the inner working of governance is about as stimulating as watching paint dry.

27. And because citizens walk away and leave politicians and their cronies to design and then control our political systems, we pay the price with self-serving, rather than citizen serving systems. The issues are so big at a national level that individual citizens rightfully feel helpless. But you chose to represent us locally as fellow citizens, and you have a chance to do great things locally on our behalf. You can design a system that makes sense for ordinary people.
28. About 35 years ago I was a summer college intern in then-Cleveland Mayor George Voinovich's office. At a Q & A session with the other interns, I asked him about the talk about him running for Governor. He said, "I can't worry about that. When you take care of the little things in front of you the big things fall into place." And that stuck with me.
29. And it resonates with another observation I've come to over the years: unexpectedly, really big things can happen in little places. We remember a grassy field called Gettysburg, or an uninhabited rock in the middle of the Pacific Ocean called Iwo Jima, or the beaches of Normandy – all of which are otherwise unremarkable. Like Columbus, they are places like any other – but people simply performed the tasks in front of them excellently, and without any idea that what they were doing would change the world.
30. We remember that change came about because of the steadfastness of ordinary citizens on a bridge from Selma to Montgomery, by school children at Central High School in Little Rock, Arkansas, on the front seats of a Montgomery public bus, and at a Woolworth's lunch counter in Greensboro, NC. People with integrity make big things happen in little places.

31. So here you are as citizens in Columbus, working sometimes in the dark on an obscure document that hardly anybody pays attention to. At the same time, the issues raised by our little city charter elections – issues about citizen representation in a democracy, the role of money in political life, and the on-going political disenfranchisement of African Americans – resonate throughout the country. This chance in front of you is as little as you make it, or as big as you can dream.

32. You have a chance to lead. Don't tinker – our electoral systems across the country stink – including here in Columbus. You can help to lead the way forward.

33. We hear all kinds of superlatives when community leaders describe Columbus. Show us that “the Columbus way” does not mean that Columbus's Black citizens will forever have to have our every electoral choice ratified by White citizens.

34. Show us that you believe Black citizens in Columbus are in fact full citizens with equal rights, because you will advocate that we live within an electoral system that does not overshadow that voting right with racial hegemony.

35. Do something real. Do this with great integrity, not because you were politically appointed and feel a loyalty to that history or appointment. Do something that makes a difference – be bold in making recommendations to make our elections fair and competitive – to bring power to the people as it has been intended in America for 240 years. Don't sell yourselves short, and don't sell the people out. Be the citizen voice to state that the politicians and their political parties must work for the people – and not the other way around -- and be the voice that promotes justice and fairness for all of Columbus's citizens.

36. Thank you for your service on this committee representing your fellow citizens. Please look out for the documents I will be submitting.



## **Jonathan Beard: NAACP LDF At Large Voting FAQs**

From: Jonathan Beard [<mailto:jonbeard1964@gmail.com>]

Sent: Friday, December 16, 2016 11:18 PM

To: Charter

Subject: NAACP LDF At Large Voting FAQs

Please see the attached, submitted to the committee.

## Attachment: At-Large Voting Frequently Asked Questions - FINAL

New York Office  
40 Rector Street, 5th Floor  
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### AT-LARGE VOTING FREQUENTLY ASKED QUESTIONS

#### What is at-large voting?

Under at-large voting, all voters cast their ballots for all candidates in the jurisdiction. In Columbus city council elections, for example, all voters cast their ballots for seven positions, with the top seven candidates who receive the most votes citywide winning seats on the city council.

#### Why can at-large voting be discriminatory?

At-large methods of election can be discriminatory because they, in combination with racially polarized voting, can prevent voters of color from electing their candidates of choice where they are not the majority in the jurisdiction. Under this system, the votes of voters of color often are drowned out or submerged by the votes of white voters who do not support the candidates preferred by Black voters.

#### How does at-large voting affect communities of color?

Fewer and fewer jurisdictions still practice at-large voting. That is because courts and other decision-makers have recognized that discriminatory methods of election, like at-large voting, exacerbate the discrimination that communities of color experience because of socioeconomic and other disparities in life opportunities between Black and white communities. LDF has long worked to eradicate discriminatory at-large methods of election that dilute the voting strength of communities of color.

#### How can jurisdictions switch from at-large to district-based voting?

In certain jurisdictions, elected officials can call for a referendum on the question of changing from at-large to district-based voting, and voters can approve a change to the method of election through a referendum. Ohio law allows local city councils to propose a change to the method of election with approval from two thirds of council members. The proposed change to the method of election would then be subject to a referendum that requires approval from a majority of the electors. Alternatively, communities can petition a city council to put the question of a change to the method of election to the voters. Without action by local municipalities, politicians who choose to maintain at-large voting can face time-consuming (e.g., two to five years) and costly litigation (e.g., millions of dollars).

#### How are single-member districts created?

To remedy dilutive at-large electoral systems, single-member districts often are created by a demographic mapping expert and include at least one district in which voters of color are the majority of the voting-age population in that district. These districts must satisfy all relevant laws and traditional redistricting principles. These districts are not intended to guarantee the election of politicians of a particular color, but rather to empower all voters with the opportunity to elect their candidates of choice.

#### Are at-large systems rare or widely-used?

Since the passage of the Voting Rights Act in 1965, numerous at-large systems have been struck down under Section 2 of the Voting Rights Act. Although at-large voting is becoming rarer and rarer, in part due to the advocacy of LDF and other civil rights organizations, such discriminatory election systems remain in some places in our democracy.

The Voting Rights Act forbids the use of any electoral scheme, such as the at-large method of election, that submerges the votes of people of color in elections that a white majority of voters control. Widely considered the crown jewel of American democracy, the Voting Rights Act is the most effective tool for protecting voters of color against methods of election – like at-large voting – that weaken the voting strength of communities of color.

#### What are some notable cases that struck down at-large voting?

In a case that LDF successfully litigated, *Dillard v. Crenshaw County, Alabama*, a federal district court found that hundreds of Alabama districts intentionally employed at-large electoral methods to discriminate against Black voters. Because of that litigation, 176 jurisdictions settled and adopted some form of district voting.

More recently, in *Georgia State Conference of the NAACP v. Fayette County Board of Commissioners*, LDF successfully challenged the at-large electoral method to the county board of commissioners and board of education in Fayette County, Georgia.



## Kathleen Henderson: Charter Review Public Comment

Data from form "Public Comment" was received on 12/24/2016 11:57:29 AM.

Contact the Charter Review Commission

| Field         | Value                                                                                                                                                                                                                                              |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name          | Katthleen Henderson                                                                                                                                                                                                                                |
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| Subject       | Charter Review Public Comment                                                                                                                                                                                                                      |
| Message       | I do not think the ward system is a good idea. Council seems to work pretty well now. The big concern is how council currently fills vacancies when they come up. The voters should be the ones who fill those seats, not sitting council members. |

Email "Charter Review Public Comment" originally sent to [edjohnson@columbus.gov](mailto:edjohnson@columbus.gov); [sbmegas@columbus.gov](mailto:sbmegas@columbus.gov) from [kathleen.henderson@att.net](mailto:kathleen.henderson@att.net) on 12/24/2016 11:57:29 AM.

## Joe Sommer: Balancing test for analyzing district vs. at-large council elections

**From:** [jcsommer@aol.com](mailto:jcsommer@aol.com) [mailto:[jcsommer@aol.com](mailto:jcsommer@aol.com)]

**Sent:** Tuesday, January 03, 2017 4:39 PM

**To:** Charter

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**Subject:** Balancing test for analyzing district vs. at-large council elections

### Charter Review Committee:

Your Oct. 13 meeting featured a presentation by Rep. Michael Curtin on the history of Columbus' governmental structure. He indicated that in comparing district versus at-large city council elections, a good summary of the appropriate balancing test is in the 1980 book *Columbus, America's Crossroads*, by Columbus Citizen Journal reporter Betty Garrett and Columbus historian Ed Lentz. I agree and would like to share my views about the current state of the factors considered in that test.

According to Rep. Curtin, the book says the 1914 change to the all at-large city council "was supposed to eliminate political corruption and ensure that every council person would be responsible to every voter. But it also eliminated entire classes of persons from the opportunity to hold office. Many of the poor and ethnic minority neighborhoods had representation on the old council simply because candidates could afford to run in a small area like a ward. Now, without independent means of support, or the support of a political party, a candidate from one of these segments of the population simply could not get elected."

Under this test, the factors to consider are the public's interest in (1) eliminating political corruption, (2) making every council person responsible to every voter, and (3) ensuring that many segments of the population are represented on council. The book says the change to the all at-large council was "supposed to" promote the first two factors. The change went against the third factor, which either wasn't considered at the time or was viewed as less important than the other two. I think that under today's conditions, all three factors go against the desirability of an all at-large city council.

### Eliminating political corruption

As for the claim that council's present structure eliminates political corruption, it's refuted by recent scandals involving the city government. The Columbus Dispatch summarized some of the scandals in a July 10, 2016 editorial.

The editorial said "the whiff of corruption and a pungent cronyism" have swirled around council for years. It noted that council's scandals "have spurred probes by the FBI and the Ohio Ethics Commission." It said the scandals included "bribes that a lobbyist funneled to council re-election campaigns" from a government contractor. It said the scandals also involved four council members accepting a junket to a Big Ten championship football game from the same corrupt lobbyist and another government contractor. It added: "Other capers include council members landing high-paying jobs with city-supported nonprofits and handing developers sweetheart deals."

Many local government officials have declined to criticize the corrupt lobbyist mentioned in the editorial. In sentencing him to prison, a federal judge said the lobbyist was covering up the involvement of others in the scandals.

Additionally, a city employee recently wrote to me about another apparent conflict of interest in the city government. Hopefully the local media will bring that problem to public light soon. Among other things, the person wrote: "It's embarrassing sometimes to say you work at Columbus City Hall because of all the ethics scandals."

In view of all this, it would be preposterous to claim that the present system eliminates political corruption.

### **Making council members responsible to every voter**

Regarding the claim that the present council structure ensures that every council member is responsible to every voter, the members in fact need to be responsive to - or be perceived as responsive to - just over 50% of the voters citywide. Council can get away with ignoring and being unresponsive to the rest. The ignored minorities include those constituting a substantial percentage of the population in some areas of the city, although being a minority citywide.

With district representation, those minorities could elect a representative to council so that they too - and not just the citywide majority of citizens - would have representation there. That would move the city further toward the ideal of making council responsible to and representative of all segments of the population.

In other words, at-large elections have been criticized for enabling 50% of a city's voters to control all of a city council. With district elections, minorities could also select representatives from those areas where they are a majority.

Moreover, there are now questions of whether council is responsive to a majority of voters or to the big-money interests funding the expensive citywide political campaigns. One recent example is council's decision to use over \$250 million of public funds to bail out Nationwide Arena and acquire public ownership of it. That corporate welfare benefited some extremely wealthy interests in Central Ohio. It was done after local voters had five times rejected public ownership of a sports facility. On this issue, council didn't seem responsive to the will of the voters but to large corporate interests providing big money for local political campaigns.

In fact, many believe the need to raise substantial funds for the expensive citywide political campaigns is a cause of the recent corruption in Columbus' city government. The Redflex scandal, for instance, involved requests for large campaign contributions for council members' campaigns before council voted on whether to extend and expand Redflex's contract with the city.

### **Minority groups closed out of the political process**

The *Columbus, America's Crossroads* book says flatly that as a result of the all at-large council structure, persons from poor or ethnic minority neighborhoods "simply could not get elected" unless they had "independent means of support, or the support of a political party." Such candidates had been able to "afford to run in a small area like a ward," but were closed out of doing so citywide.

That problem has gotten worse as the city's area and population have expanded and the costs of running citywide increased. When the present Charter was adopted in 1914, Columbus had 181,500 residents in 24.5 miles. Today the city has about 850,000 residents in 223 square miles. The costs of running a competitive city council race against an incumbent have risen to between about \$100,000 and \$250,000.

These changes mean that persons from poor or minority neighborhoods are even less able to run a citywide campaign. They would have more ability to mount a competitive campaign in a district, where the costs of running would be less.

### **Summary and Conclusion**

Regarding the three factors that *Columbus, America's Crossroads* presents for judging at-large versus district elections, all three point away from the desirability of an all at-large city council under Columbus' current conditions. First, the recent scandals in the city government show that the present structure does not prevent corruption, and the possibility of corruption is likely increased by council candidates turning to big-money interests

to fund their expensive citywide campaigns. Second, the present structure makes council more responsive to big-money donors than to the voters, and enables council to ignore the needs of large population segments who do not constitute a citywide majority of voters. Third, the increasingly high costs of running citywide continue to prevent citizens who are poor or of average means from seeking office, but they could run a strong grassroots campaign in a district.

Also with district elections, candidates would have less need to turn to big-money interests to fund their campaigns, would avoid the corruption that can result from depending on those interests for financial support, could provide representation to minorities and areas of the city that the present system has been unresponsive to, and could speak out against any at-large member who seems more deferential to the big-money interests than to the public interest. All that would be in addition to ensuring that each area of the city has a council member who is familiar with it and accountable to it.

Because of these considerations, I hope the Committee will recommend that Columbus add district representation to city council, as virtually every other large U.S. city has done.

As former Columbus City Council President Maury (M.D.) Portman, who was the city's longest-serving council member, told The Dispatch on June 24, 1998: "Seven council members for a city this size is ridiculous, you can't possibly be in touch with citizens regularly. You can't rely on your aides completely, and you can't rely on the commissions. I feel that the most practical solution would divide the city into districts, and to prevent conflicts, you should have a certain number of at-large members to balance it out."

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